

# JOURNAL OF THE SENATE

716

Tuesday, May 19, 1959

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 18, 1959.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

—37.

A quorum present.

Senator Pope was excused from attendance upon the Session.

The following Prayer was offered by the Senate Chaplain, Reverend L. B. Thomason:

Our Father, help us to realize our responsibility not only to our fellowmen but to ourselves and to Thee. Give us the courage to live for Thee in the light of what we shall one day be. Teach us how to love Thee and instruct us in the matters of faith. In Christ's name we pray. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Wednesday, May 6, 1959, was further corrected as follows:

Page 396, column 1, strike out line 2, counting from the bottom of the column, and insert in lieu thereof the following:

"Dickinson Eaton Houghton Tedder"

Also—

Page 396, column 1, strike out line 3, counting from the bottom of the column, and insert in lieu thereof the following:

"Nays—4."

Also—

Page 396, column 1, in line 7, counting from the bottom of the column, in the second column of the roll call, strike out the name "Dickinson."

Also—

Page 396, column 1, in line 4, counting from the bottom of the column, in the fourth column of the roll call, strike out the name "Tedder."

And as further corrected was approved.

The Senate daily Journal of Friday, May 15, 1959, was further corrected as follows:

Page 641, column 1, between lines 23 and 24, insert the following:

"Which was agreed to by a two-thirds vote."

Also—

Page 682, column 1, between lines 10 and 11, counting from the bottom of the column, insert the following:

"Which was agreed to."

And as further corrected was approved.

The Senate daily Journal of Monday, May 18, 1959, was corrected as follows:

Page 686, column 1, line 3, in the second column of enrolled bills, strike out the number "1954" and insert in lieu thereof the number "1054."

And as corrected was approved.

## REPORTS OF COMMITTEES

Senator Rawls, Chairman of the Committee on Constitutional Amendments and Governmental Reorganization, reported that the Committee had carefully considered the following Bill:

S. B. No. 274—A bill to be entitled An Act relating to jurors and jury lists; repealing Sections 40.01 through 40.04, 40.07 and 40.12, Florida Statutes; creating Sections 40.011, 40.012, 40.013, 40.014, 40.021, 40.022 and 40.081, Florida Statutes, to include provisions presently contained in Sections 40.01, 40.07, 40.02, Florida Statutes, and to provide for service on juries by men and women without restriction as to sex; to provide alternate method of selecting jury lists in counties of less than twenty-five thousand (25,000) inhabitants and to require the filing of affidavits by all persons claiming exemptions from jury duty; amending Sections 40.08, 40.09, 40.10, 40.11 and 40.24, Florida Statutes, increasing the per diem and travel allowance of jurors and fixing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Judiciary "C," under the multiple reference.

Senator Rawls, Chairman of the Committee on Constitutional Amendments and Governmental Reorganization, reported that the Committee had carefully considered the following Bill:

S. B. No. 661—A bill to be entitled An Act relating to sheriffs; amending Subsection (3) of Section 30.49, Florida Statutes, by providing procedures for review of budgets of sheriffs, providing an appeal, fixing an effective date.

—and recommends that the same pass with Committee Amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Rawls, Chairman of the Committee on Constitutional Amendments and Governmental Reorganization, reported that the Committee had carefully considered the following Joint Resolution:

S. J. R. No. 593—A Joint Resolution proposing an amendment to Article XVI of the Constitution of Florida adding thereto an additional section creating The Florida Public Utilities Commission; providing that the Florida Railroad and Public Utilities Commission, now existing by Legislative Act, shall henceforth be known as the Florida Public Utilities Commission; prescribing the number of commissioners constituting said commission, the method of filling commissioner vacancies in office, and of retention of commissioners in office, and establishing said commission's rights, powers, duties, responsibilities and jurisdiction.

—and recommends that the same not pass.

And the Joint Resolution contained in the preceding report was laid on the table.

Senator Rawls, Chairman of the Committee on Constitutional Amendments and Governmental Reorganization, reported that the Committee had carefully considered the following Bill:

S. B. No. 528—A bill to be entitled An Act concerning procedure of State administrative agencies.

—and recommends that the same pass with Committee Amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Rawls, Chairman of the Committee on Constitutional Amendments and Governmental Reorganization, reported that the Committee had carefully considered the following Bill:

S. B. No. 828—A bill to be entitled An Act to amend Sections 110.03 and 110.05, Florida Statutes, relating to merit system of personnel administration, by providing the powers and duties of the State Personnel Board, the Merit System Council, and the appointing authority, and providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Rawls, Chairman of the Committee on Constitutional Amendments and Governmental Reorganization, reported that the Committee had carefully considered the following Bills:

S. B. No. 750 — A bill to be entitled An Act relating to State and County Retirement System; amending Section 122.08, Florida Statutes, by adding a Subsection numbered (10), to provide that decedent's spouse may contribute to and collect from the system when the decedent under fifty-five (55) years of age has been employed for twenty-five (25) years and has contributed to the fund; providing an effective date.

S. B. No. 769—A bill to be entitled An Act relating to State Auditing Department amending Section 21.031, Florida Statutes, providing for appointment of State Auditor; providing effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Rawls, Chairman of the Committee on Constitutional Amendments and Governmental Reorganization, reported that the Committee had carefully considered the following Joint Resolution:

S. J. R. No. 881—A Joint Resolution proposing an Amendment to Article XII of the Florida Constitution, relating to the election or appointment of the County Superintendent of Public Instruction for Broward County, Florida.

—and recommends that the same pass.

And the Joint Resolution contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Pearce, Chairman of the Committee on General Legislation, reported that the Committee had carefully considered the following Bill:

H. B. No. 387—A bill to be entitled An Act relating to police officers' retirement fund, Chapter 185, Florida Statutes; amending Subsections (5) and (6) of Section 185.02, relating to and defining aggregate number of years of service; amending Section 185.05, relating to the Board of Trustees, members and term of office; amending Subsections (1), (2) and (4) of Section 185.06, relating to the powers of the Board of Trustees and adding Subsection 8 thereto; adding Section 185.061, relating to the use of annuity or insurance policies; amending Subsections (2) and (4) of Section 185.07, relating to creation and maintenance of the fund; amending Sections 185.14, 185.15, 185.16, 185.18, 185.19, and 185.21, relating to contributions, new employees, requirements for retirement, disability retirement, separation from municipal service, refunds; and death prior to retirement; refunds or death benefits; and adding Sections 185.161, 185.162, 185.191, 185.221, 185.231, 185.232, 185.35 and 185.36, providing for optional forms of retirement income; beneficiaries; lump sum payment of small retirement income; report to State Treasurer; appointment of advisory committee; reports to the legislature; relating to municipalities having their own pension plans; rights of police officers under former law; and repealing Sections 185.17, 185.20, 185.22, 185.26 and 185.28, and providing for an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Hodges, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following Bill:

H. B. No. 202—A bill to be entitled An Act for the relief of Ramon R. Delgado, holder of Beverage License No. 54-374 7-COP, issued for 1900 Flagler Street, Key West, Florida, which has been restricted through no fault of his under the provisions of Chapter 57-773, Laws of Florida; directing the State Beverage Department to issue an appropriate license to which said Ramon R. Delgado would have been entitled had construction of the premises been completed by January 1, 1958, and vacating and cancelling the endorsement limiting said license; providing when this Act shall take effect.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Hodges, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following Bill:

H. B. No. 1401—A bill to be entitled An Act relating to Monroe County; providing for the validation of certain special licenses issued under Section 561.20(2), Florida Statutes, for the sale of intoxicating beverages in Monroe County; repealing all laws or parts of laws, in conflict with this Act to the extent of such conflict; providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bill:

S. B. No. 599—A bill to be entitled An Act relating to eminent domain proceedings; amending Sections 73.01, 73.02, 73.04, 73.10 and 73.12, Florida Statutes, relating to the petition, parties defendant, process, trial, verdict, and form of judgment respectively; amending Sections 74.01, 74.02, 74.04, 74.05, 74.07, 74.09, 74.10, Florida Statutes; and repealing Section 74.03, Florida Statutes, relating to the declaration of taking, appointment of appraiser, hearings before appraisers, payments made into court, paying over of said funds; and proceedings as evidence in main suit respectively, and providing an effective date.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was referred to the Committee on Constitutional Amendments and Governmental Reorganization, under the original joint reference.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bill:

S. B. No. 794—A bill to be entitled An Act relating to compensation of municipal, county, and state officers; providing for no increase in compensation during term to which an officer is elected; providing an effective date.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 801—A bill to be entitled An Act relating to weapons and firearms; amending Subsections (2)-(6) of Section 790.08, Florida Statutes, adding a new Subsection (7) thereto; providing that weapons and arms shall be kept and used by sheriff of county or chief of police of municipality under certain conditions; providing for disposition of such arms by said sheriff or chief of police; providing for keeping of records and filing of reports to appropriate county or city commissions concerning disposition of such weapons and arms; providing an effective date.

S. B. No. 869—A bill to be entitled An Act amending Section 145.04, Florida Statutes, relating to the duty of the board of county commissioners to report to the Governor the failure of county officers to file annual reports and providing for suspension for failure to file statements; providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 924—A bill to be entitled An Act relating to written instruments conveying interests in real property; limiting the definition of the word "minerals" when used in any deed, lease or other contract in writing; providing an effective date.

S. B. No. 788—A bill to be entitled An Act relating to Juvenile Courts; amending Subsection (6) of Section 39.03, Florida Statutes, by eliminating the restriction against fingerprinting, photographing, and publishing the name of a child in certain instances; providing an effective date.

S. B. No. 711—A bill to be entitled An Act relating to eminent domain proceedings; amending Section 74.01, Florida Statutes, relating to declaration of taking; State and other agencies; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

S. B. No. 906—A bill to be entitled An Act relating to the statutory requirements for establishing title to realty by adverse possession without color of title; eliminating requirement of return to County Assessor; amending Section 95.18, Florida Statute, 1957; providing an effective date

S. B. No. 908—A bill to be entitled An Act amending Section 696.05, Florida Statutes, 1957, to provide that the clerk of the circuit court may record all instruments filed for record by photographic process, including miniature photographic, microfilming, microphotographic or other processes, to provide that the Board of County Commissioners shall provide adequate supplies and equipment for making, preserving, reproducing and viewing such records; to validate the acts of the boards of county commissioners and clerks of the circuit courts in the purchase and use of photographic equipment and supplies; to approve all fees charged by clerks of the circuit courts in accordance therewith; providing an effective date.

S. B. No. 870—A bill to be entitled An Act amending Section 116.03, Florida Statutes, fixing time when State and county officers shall file annual reports of fees or other remunerations collected with State Comptroller; providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bill:

H. B. No. 320—A bill to be entitled An Act relating to changing names of persons; amending Subsection (5) of Section 69.02, Florida Statutes, by providing for notice to other parent when one parent petitions for change of name of minor child.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bills:

H. B. No. 551—A bill to be entitled An Act relating to limitations of actions; amending Section 95.11, Florida Statutes; by adding thereto Subsection (9), providing limitation of action in bastardy proceedings; providing an effective date.

H. B. No. 516—A bill to be entitled An Act relating to circuit judges; adding Section 26.55 to Chapter 26, Florida Statutes, to create and establish the conference of circuit judges, prescribing the duties of said conference, of its members and officers, and of the attorney general in connection therewith; repealing Section 16.06, Florida Statutes.

H. B. No. 393—A bill to be entitled An Act relating to fraudulent conveyances, sales and loans; amending Sections 726.02, 726.04, 726.05 and 726.06, Florida Statutes, by providing that bulk sales act shall be applicable to business fixtures and machinery or equipment used in connection with vendor's business; providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following Bill:

H. B. No. 507—A bill to be entitled An Act relating to divorce; amending Section 65.01, Florida Statutes; providing for statutory requirements only in bill of complaint for divorce; providing effective date.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

#### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with House Amendments, for engrossing—

S. B. No. 87—A bill to be entitled An Act relating to the John and Mable Ringling Museum of Art; authorizing the Board of Trustees to make temporary loans, not to exceed six months, of paintings and other objects of art belonging to the John and Mable Ringling Museum of Art for the purpose of public exhibitions in art museums and institutions of higher learning and the executive mansion in Tallahassee as in the judgment of the board of trustees is deemed wise and for the best interests of the John and Mable Ringling Museum of Art and under policies established by the board of trustees and approved by the Board of Commissioners of State Institutions for the protection of the paintings and other objects of art; providing an effective date.

—begs leave to report that the Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 87, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

S. B. No. 173—A bill to be entitled An Act cancelling certain tax sales certificates issued in Jefferson County, Florida, for nonpayment of taxes for the year 1930 upon certain lands upon which taxes have been levied and collected for all subsequent years.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 173, contained in the above report was

referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

S. B. No. 188—A bill to be entitled An Act relating to re-registration of freeholder electors; amending Paragraph (a) of Subsection (2) and Subsection (4) of Section 97.081, Florida Statutes, to also permit a call for a re-registration of freeholder electors of any municipality for the purposes of said Section; providing for an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 188, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

Committee Substitute for S. B. No. 253—A bill to be entitled An Act relating to mental health; amending Paragraph (b) of Subsection (16) of Section 394.22, Florida Statutes; providing for the automatic restoration of persons discharged from a state hospital with a certificate of competency; providing for notice to the State Attorney and procedure for restoration if objections to said restoration made by said State Attorney; setting effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Committee Substitute for Senate Bill No. 253, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House Amendments for engrossing—

S. B. No. 388—A bill to be entitled An Act to authorize the Board of Control to construct six (6) small dormitories at the Florida State University and the University of Florida; providing for payment of costs thereof from certain collections and funds; and providing an effective date.

—begs leave to report that the Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 388, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

S. J. R. No. 392—A joint resolution proposing an amendment to Section 1, Article XII, of The Constitution of Florida, relating to the public schools; to authorize the Legislature to provide for an alternative plan for financing education; to provide for a special election.

—begs leave to report that the Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Joint Resolution No. 392, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

S. B. No. 563—A bill to be entitled An Act relating to membership of State, county and municipal employees in organizations asserting the right to strike; providing for the prohibition of participation in any strike against the state, county or any municipality; and providing for the prohibition of membership in any organization that asserts such right; and providing for an effective date.

—begs leave to report that the Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 563, contained in the above report was ordered certified to the House of Representatives.

### ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. No. 87

—reports same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 19, 1959, for his approval.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Enrolling Clerk  
of the Senate.

Your Enrolling Clerk, to whom was referred—

H. B. No. 1547

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on May 19, 1959.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Enrolling Clerk  
of the Senate.

### ABANDONMENT OF MOTION TO RECONSIDER

The motion made by Senator Brackin on May 15, 1959, to reconsider the vote by which House Bill No. 573 passed the Senate on May 14, 1959, not having been acted upon on Monday, May 18, 1959, was considered abandoned under Senate Rule 47.

And House Bill No. 573 was ordered certified to the House of Representatives.

Senator Price requested unanimous consent of the Senate to take up and consider House Bill No. 1490, out of its order.

Unanimous consent was granted, and—

H. B. No. 1490—A bill to be entitled An Act relating to Cedar Hammock Fire Control District; amending Section 4 of Chapter 57-1546, Acts of 1957, prescribing the commissions and fees for assessment and collection of the fire control district assessments to be paid to the assessor; and providing an effective date.

Was taken up.

Senator Price moved that the rules be waived and House Bill No. 1490 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1490 was read the second time by title only.

Senator Price offered the following amendment to House Bill No. 1490:

In Section 1, line 9, page 1 following the word "ceed," strike out the words: the sum of ten dollars (\$10.00) per annum on business firms or buildings, the sum of five dollars (\$5.00) per annum on homes, fifty cents (\$.50) per lot on vacant lots and ten cents (\$.10) per acre or fraction thereof on unsubdivided acreage, but not to exceed the sum of ten dollars (\$10.00) for any one unsubdivided parcel.

and insert in lieu thereof the following: the sum of fifteen dollars (\$15.00) per annum on business firms or buildings, the sum of five dollars (\$5.00) per annum on homes, fifty cents (\$.50) per lot on vacant lots and fifty cents (\$.50) per acre or fraction thereof on unsubdivided acreage.

Senator Price moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Price also offered the following amendment to House Bill No. 1490:

In Section 1, line 10, page 2, following the words: noted thereon insert the following: the levy against each parcel of property described thereon

Senator Price moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Price moved that the rules be further waived and House Bill No. 1490, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1490, as amended, was read the third time in full.

Upon the passage of House Bill No. 1490, as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

Nays—None.

So House Bill No. 1490 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Price requested unanimous consent of the Senate to take up and consider House Bill No. 1492, out of its order.

Unanimous consent was granted, and—

H. B. No. 1492—A bill to be entitled An Act amending Section 1 of Chapter 57-1546, Laws of Florida, 1957, relative to Cedar Hammock Fire Control District; extending the areas of said district; and providing an effective date.

Was taken up.

Senator Price moved that the rules be waived and House Bill No. 1492 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1492 was read the second time by title only.

Senator Price moved that the rules be further waived and House Bill No. 1492 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1492 was read the third time in full.

Upon the passage of House Bill No. 1492 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

Nays—None.

So House Bill No. 1492 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Adams, Carraway, Gibbons, Johnson, Eaton and Rawls—

S. B. No. 963—A bill to be entitled An Act relating to taxation; creating an interim legislative committee to study the tax structure of Florida; setting powers and duties of same; establishing membership; setting an effective date.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Eaton—

S. B. No. 964—A bill to be entitled An Act authorizing the state, its various organizations, agencies and political divisions, county governments, their agencies and municipal governments and any subdivisions thereof including special districts of the State of Florida to authorize the deductions from employees wages and salaries in their sole discretion of a portion of such wages and salaries; and the payment of such deductions as directed by such employee or employees at and upon the request of such employee or employees; providing an effective date.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Knight—

S. B. No. 965—A bill to be entitled An Act relating to coin-operated machines and amending Section 849.16, Florida Statutes; providing an effective date.

Which was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

By Senators Kelly, Johns, Hair, Hodges, Stratton, Clarke and Dickinson—

S. B. No. 966—A bill to be entitled An Act providing for the appointment by the President of the Senate and the Speaker of the House of Representatives of a committee to consist of five members from each body to make a study of the recently enacted Florida Insurance Code and to study its effect upon the public of this State and upon the insurance industry for the purpose of recommending such amendments to the Insurance Code as their study may reveal to be in the public interest and to authorize reimbursement of committee members for necessary per diem and travel expense.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Kelly—

S. B. No. 967—A bill to be entitled An Act relating to the Florida Air Pollution Control Commission; amending Sections 403.02(3), 403.03, 403.09, 403.10(3), (4) and 403.19, repealing Section 403.12, all Florida Statutes; defining air pollution; amending Chapter 403, Florida Statutes, by adding Section 403.22; prescribing the function and powers of the commission; providing for review of decisions of commission; repealing provisions for creation of air pollution control districts; providing severability clause; and fixing an effective date.

Which was read the first time by title only and referred to the Committee on Public Health.

By the Committee on Constitutional Amendments and Governmental Reorganization—

Senate Joint Resolution No. 968—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SUBSECTIONS (1) AND (2) OF SECTION 5 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO THE NUMBER AND ORGANIZATION OF THE DISTRICT COURTS OF APPEAL AND THE NUMBER OF JUDGES FOR EACH DISTRICT COURT OF APPEAL AND THE COMPOSITION OF THE DISTRICT COURTS OF APPEAL FOR THE CONSIDERATION OF CASES.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment of Subsections (1) and (2) of Section 5 of Article V of the Constitution of the State of Florida relating to the number and organization of the district courts of appeal and the number of judges for each district court of appeal and the composition of the district courts of appeal for the consideration of cases is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1960, that is to say: Said subsections shall be amended, and as amended shall read as follows:

**Section 5. District Courts of Appeal.—**

(1) APPELLATE DISTRICTS. The state shall be divided into three appellate districts of contiguous counties as the Legislature may prescribe, and there shall be organized a district court of appeal in each district.

(2) ORGANIZATION; NUMBER AND SELECTION OF JUDGES. There shall initially be three judges of each district court of appeal. The Legislature may provide not more than four additional judges for any district court of appeal and may reduce the number for any district to not less than three. Three judges shall constitute a panel for and shall consider each case, and the concurrence of a majority shall be necessary to a decision. The court shall hold at least one session every year in each judicial circuit within the district wherein there is ready business to transact.

Which was read the first time in full and referred to the Committee on Appropriations.

By the Committee on Constitutional Amendments and Governmental Reorganization—

S. B. No. 969—A bill to be entitled An Act, providing additional judges for the district courts of appeal; providing for the appointment initially of such judges by the Governor and for their election thereafter; fixing the terms of office of such judges pursuant to such appointment and election, respectively; making the effectiveness of this Act contingent upon the adoption of an amendment to the Constitution of Florida authorizing an increase in the number of judges of the district courts of appeal; repealing all laws or parts of laws in conflict herewith; and providing the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Appropriations.

By the Committee on Constitutional Amendments and Governmental Reorganization—

S. B. No. 970—A bill to be entitled An Act relating to the Secretary of State; requiring registration of certain voluntary health organizations; defining voluntary health organizations; providing exemptions; providing for the filing of financial reports and fees for filing same; providing for penalty for violators; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By the Committee on Appropriations—

S. B. No. 971—A bill to be entitled An Act making appropriations for the salaries of the officers and employees of the State and for the current operating expenses of the departments and branches of the State government and for the capital outlay and repairs as provided for herein for the annual periods beginning July 1, 1959, and July 1, 1960.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senator Adams—

S. B. No. 972—A bill to be entitled An Act relating to small claims courts in all counties in the state having a population of not less than fourteen thousand three hundred (14,300) and not more than fourteen thousand seven hundred (14,700), according to the latest official state-wide decennial census; fixing the compensation of the clerk; fixing filing fees; requiring Board of County Commissioners to provide facilities; fixing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Adams—

S. B. No. 973—A bill to be entitled An Act relating to Clay County; authorizing the Board of County Commissioners to pay to Alex L. Gilmour, Inc., the sum of twenty-two hundred nine dollars and sixteen cents (\$2,209.16) for services rendered and materials supplied in repairing the county jail; and providing effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 973 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Adams—

S. B. No. 974—A bill to be entitled An Act authorizing the County School Board of each county in the State having a population of not less than fourteen thousand three hundred (14,300) and not more than fourteen thousand seven hundred (14,700), according to the latest official state-wide decennial census, to grant additional compensation, by the affirmative vote of four (4) members, to any board member who performs duties for said board which far exceed the normal duties performed by other board members; fixing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Adams—

S. B. No. 975—A bill to be entitled An Act authorizing county school boards in counties in the State having a population of not less than fourteen thousand three hundred (14,300) and not more than fourteen thousand seven hundred (14,700), according to the latest official state-wide decennial census, to arrange for the erection of a school building under construction as of April 15, 1959, on a day labor basis up to a total project cost of thirty-five thousand dollars (\$35,000.00); fixing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Rawls—

S. B. No. 976—A bill to be entitled An Act relating to Billiard Parlors and Pool Rooms; amending Sections 849.04 and 849.06, Florida Statutes; changing the age limit for playing pool or billiards and visiting pool rooms and billiards saloons from twenty-one (21) to eighteen (18); providing penalties.

Which was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

By Senator Bronson—

S. B. No. 977—A bill to be entitled An Act relating to unemployment compensation; adding Subsection (7) to Section 443.05, Florida Statutes; providing additional benefits for agricultural laborers.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Cross—

S. B. No. 978—A bill to be entitled An Act amending Section 465.071, Florida Statutes, by adding Subsection (3); providing certain non-citizens may qualify to take the state board examination in pharmacy.



Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Johns—

S. B. No. 979—A bill to be entitled An Act amending Chapter 13426, Laws of Florida, Special Acts of 1927, the same being the charter of the City of Starke, Florida, by adding thereto Section 16(A), authorizing the City of Starke, Florida, to issue revenue bonds and certificates without a referendum or a freeholder election; providing for the payment thereof; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 979 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Johns—

S. B. No. 980—A bill to be entitled An Act to amend Sections 1 and 2 of Chapter 20138, Laws of Florida, 1939, by a Special Act of the Legislature providing an exclusive method by which the City of Starke may lease, sell or abandon the municipal light and water plants, by providing that such provision will also be applicable to the leasing, sale or abandonment of a municipal gas plant.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 980 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Johns—

S. B. No. 981—A bill to be entitled An Act relating to pensions and war veterans; amending Section 291.02 and the introductory paragraph of Section 291.04, Florida Statutes, increasing the amount of pension paid to Confederate soldiers and their widows; providing an effective date.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Johns—

S. B. No. 982—A bill to be entitled An Act relating to the use of plastic bags and coverings on dry cleaning and merchandise; prohibiting the use of plastic bags of certain size and specifications; prohibiting the possession of certain plastic bags and coverings for use as covering of dry cleaning or for packaging or bagging merchandise for sale; providing penalty for violation; providing an effective date.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

Senator Ripley requested unanimous consent of the Senate to take up and consider Senate Bill No. 767, out of its order.

Unanimous consent was granted, and—

S. B. No. 767—A bill to be entitled An Act declaring, designation and establishing the Lem Turner Road Bridge, State Road 115 over Trout River in Duval County as the "C. Ray Greene Bridge," and providing an effective date.

Was taken up.

Senator Ripley moved that the rules be waived and Senate Bill No. 767 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 767 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 767 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 767 was read the third time in full.

Upon the passage of Senate Bill No. 767 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Brackin	Eaton	Kelly	Stratton
Boyd	Dickinson	Johns	Stenstrom
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

Nays—None.

So Senate Bill No. 767 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ripley requested unanimous consent of the Senate to take up and consider Senate Bill No. 768, out of its order.

Unanimous consent was granted, and—

S. B. No. 768—A bill to be entitled An Act declaring, designating and establishing the Main Street Bridge on U.S. Highway No. 17 over the Trout River in Duval County as the "Tom Marshall Bridge," and providing an effective date.

Was taken up.

Senator Ripley moved that the rules be waived and Senate Bill No. 768 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 768 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 768 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 768 was read the third time in full.

Upon the passage of Senate Bill No. 768 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

Nays—None.

So Senate Bill No. 768 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sutton requested unanimous consent of the Senate to take up and consider House Bill No. 738, out of its order.

Unanimous consent was granted, and—

H. B. No. 738—A bill to be entitled An Act amending Chapter 320, Florida Statutes 1957, relating to motor vehicle licenses, etc. and registration taxes as the same relate to intercity motor buses; providing that intercity motor buses operated in interstate or combined interstate-intrastate movement in Florida shall be required to pay license taxes on a basis commensurate with and determined by the ratio of the miles traveled within the State of Florida and the miles traveled without the State of Florida; providing a method for the computation of the amount of such taxes and authorizing the State Motor Vehicle Commissioner to prescribe rules and regulations necessary for the proper carrying out of this Act; and provide effective date.

Was taken up.

Senator Sutton moved that the rules be waived and House Bill No. 738 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 738 was read the second time by title only.

Senator Sutton moved that the rules be further waived and House Bill No. 738 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 738 was read the third time in full.

Upon the passage of House Bill No. 738 the roll was called and the vote was:

Yeas—31.

Mr. President	Cross	Gresham	Pearce
Adams	Davis	Hair	Rawls
Beall	Dickinson	Hodges	Ripley
Brackin	Eaton	Houghton	Stenstrom
Bronson	Edwards	Johns	Stratton
Carlton	Gautier	Kelly	Sutton
Carraway	Getzen	Kicliter	Tedder
Clarke	Gibbons	Knight	

Nays—None.

So House Bill No. 738 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sutton moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 505, still in the possession of the Senate, passed the Senate on May 18, 1959.

S. B. No. 505—A bill to be entitled An Act amending Chapter 320, Florida Statutes 1957, relating to motor vehicle licenses, etc., and registration taxes as the same relate to intercity motor buses; providing that intercity motor buses operated in interstate or combined interstate-intrastate movement in Florida shall be required to pay license taxes on a basis commensurate with and determined by the ratio of the miles traveled within the State of Florida and the miles traveled without the State of Florida; providing a method for the computation of the amount of such taxes and authorizing the State Motor Vehicle Commissioner to prescribe rules and regulations necessary for the proper carrying out of this Act; and provide effective date.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 505 passed the Senate on May 18, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 505 passed the Senate on May 18, 1959.

By unanimous consent, Senator Sutton withdrew Senate Bill No. 505 from the further consideration of the Senate.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Sutton—

S. B. No. 818—A bill to be entitled An Act relating to the Town of Windermere; providing that the town clerk of said town shall be appointed by the mayor thereof; and providing an effective date.

Proof of publication attached.

Also—

By Senator Ripley—

S. B. No. 831—A bill to be entitled An Act amending Section 1 of Chapter 22343, Laws of Florida, Acts of 1943, entitled "An Act to authorize and empower the City of Jacksonville to make appropriations and donations to Jacksonville Junior College", as amended by Chapter 24606, Laws of Florida, Acts of 1947, so as to increase the authorized amount of said appropriations and donations and authorize same to be made to Jacksonville University; providing an effective date.

Proof of publication attached.

Also—

By Senator Ripley—

S. B. No. 833—A bill to be entitled An Act granting to certain full time employees in the electric production department of the City of Jacksonville full credit for the entire period of full time employment in the building department of said city and for the entire period he or she served as a draftee in the United States Army and until re-employed by the City of Jacksonville, Florida in the pension fund created by Chapter 18610, Laws of Florida 1937, upon certain conditions; providing effective date.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 818, 831 and 833, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Ripley—

S. B. No. 803—A bill to be entitled An Act fixing the compensation and duties of the Clerk of the Criminal and Civil Courts of Record in counties having a population of three hundred thousand (300,000) or more, according to the latest official state-wide decennial census, and not having home rule under the Constitution; providing a budget procedure for said clerk; providing the procedures for payment of salaries and expenses; providing for disposition of the fees and commissions collected and the records thereof; providing for the repeal of all laws in conflict with this Act; and providing an effective date.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 803, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Ripley—



S. B. No. 845—A bill to be entitled An Act amending Subparagraph (nnn) of Subsection 1 of Section 125.61, Florida Statutes 1957, fixing compensation of county commissioners in Duval County, Florida; providing an effective date.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 845, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senators Johnson, Belser, Hodges, Getzen, Cross, Edwards, Connor, Beall, Brackin, Gautier, Knight, Clarke, Rawls, Stratton, Melton, Pearce, Carraway, Ripley, Eaton and Bronson—

S. B. No. 238—A bill to be entitled An Act designating and naming the Interstate Highways between Jacksonville and Pensacola, and between St. Petersburg and Daytona Beach, in this State.

Also—

By Senator Adams—

S. B. No. 171—A bill to be entitled An Act naming and designating a certain bridge as the S. D. "Sam" Saunders Bridge and providing suitable markers to be erected thereon by the State Road Department and providing an effective date therefor.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bills Nos. 238 and 171, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 19, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Melton—

S. B. No. 487—A bill to be entitled An Act relating to motor vehicle registrations and titles; amending Paragraph (b) of Subsection (5) of Section 319.25 Florida Statutes, and adding thereto Paragraphs (c) and (d); providing for the Motor Vehicle Commissioner to furnish registration and title information and fees charged therefor; providing an effective date.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 487, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to—

By Messrs. Cleveland of Seminole, Mann of Hillsborough, Reedy of Lake and Frederick of Seminole—

H. B. No. 337—A bill to be entitled An Act relating to ministers of religion; providing that communication given in confidence to a minister of religion shall be prohibited from being given in evidence in any litigation in courts of this State; providing for punishment for violation thereof; providing an effective date.

Which amendments read as follows:

Amendment No. 1—

Strike out entire Section 4, and renumber Section 5 as Section 4, and Section 6 as Section 5.

Amendment No. 2—

In Title, lines 7 and 8, page 1, strike out the words: "providing for punishment for violation thereof;"

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 19, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives requests the return of—

By Messrs. Vocelle of Indian River and Hollahan of Dade—

H. B. No. 539—A bill to be entitled An Act relating to vacancies in political party offices; amending Chapter 103, Florida Statutes, by adding thereto Section 103.13 providing when vacancies in said offices shall occur.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Sutton moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Bill No. 539 was ordered returned to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 19, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Mrs. Johnson of Orange—

H. B. No. 1308—A bill to be entitled An Act to Abolish the Present Municipal Government of the Town of Lake Maitland, Orange County and to Establish, Organize and Constitute a New Municipality to Be Known and Designated as the City of Maitland in the Counties of Orange and Seminole and State of Florida, and to Define Its Territorial Boundaries and Provide for Its Jurisdiction, Powers and Privileges; and Providing an Effective Date.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Sutton moved that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 1308 passed the Senate on May 12, 1959.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 1308 passed the Senate on May 12, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 1308 passed the Senate on May 12, 1959.

The question recurred on the passage of House Bill No. 1308.

Pending roll call on the passage of House Bill No. 1308, Senator Sutton moved that the further consideration thereof be informally passed.

Which was agreed to and House Bill No. 1308 was placed on the Calendar of Local Bills, pending roll call.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Papy and Cunningham of Monroe—

H. B. No. 1452—A bill to be entitled An Act naming, designating and dedicating a bridge extending from United States Highway No. 1 in Marathon, Monroe County, over to the island known as Boot Key now under construction as the "Floyd W. Davis Bridge"; providing for suitable plaques to be erected thereon by State Road Department; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1452, contained in the above message, was read the first time by title only.

Senator Gresham moved that the rules be waived and House Bill No. 1452 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1452 was read the second time by title only.

Senator Gresham moved that the rules be further waived and House Bill No. 1452 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1452 was read the third time in full.

Upon the passage of House Bill No. 1452 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

Nays—None.

So House Bill No. 1452 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1959 Session of the Florida Legislature—

By Messrs. Whitaker, Mann and Liles of Hillsborough—

H. J. R. NO. 1302—A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE CONSTITUTION PROVIDING FOR HOME RULE IN HILLSBOROUGH COUNTY BY ADDING SECTION 24 THERETO.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article VIII of the Constitution of Florida is hereby agreed to and shall be submitted to the electors of the state of Florida for ratification or rejection at the next general election to be held in November, 1960.

Article VIII is hereby amended by adding Section 24 to read as follows:

Section 24. (1) Subject to the adoption of a home rule charter, as hereinafter provided, the electors of Hillsborough County and its municipalities are granted home rule for Hillsborough County and its several municipalities to exercise any and all powers for county and municipal purposes which the Legislature could have conferred, without reference in any case to the Legislature of the state of Florida for enabling legislation, except such powers as are hereinafter specifically reserved.

(2) None of the powers herein granted shall vest or become operative unless and until a home rule charter prepared by a home rule charter board created by special act of the State Legislature, shall have been voted on and approved by a majority of the electors of Hillsborough County, Florida, voting in said election to be held at a time and in a manner prescribed by the act creating the board. Any such home rule charter shall prescribe and fix the method and manner of the exercise of the home rule powers herein granted to Hillsborough County, Florida, and its municipalities. The special act creating said home rule charter board may designate any provision or provisions which shall be contained in such home rule charter to be prepared and presented to the electors by the home rule charter board.

(3) Any home rule charter prepared and submitted under the provisions of paragraph (2) above, shall contain a provision for public referendum for amendment or repeal thereof upon petition of not less than ten (10%) per cent of the qualified electors of Hillsborough County, Florida, and in the manner to be therein specified; provided that, the foregoing method for amendment or repeal of any such charter shall not be exclusive, and said charter may provide for other methods of amendment or repeal thereof.

(4) Provision shall be made for the protection of the creditors of any governmental unit which is merged, consolidated, or abolished or whose boundaries are changed or functions or powers transferred.

(5) The governmental units affected hereby shall continue to receive their pro rata share of all revenues payable by the state from whatever source.

(6) Nothing in this section shall limit or restrict the power of the Legislature to enact general laws which shall relate to Hillsborough County and any other one (1) or more counties in the state of Florida or to any municipality in Hillsborough County and any other one (1) or more municipalities of the state of Florida, and no action taken under the home rule granted herein shall conflict with any provision of this Constitution or any applicable general laws now applying to Hillsborough County and any other one (1) or more counties of the state of Florida except as expressly authorized in this section, nor shall any ordinance enacted in pursuance to said home rule conflict with this Constitution or any such applicable general law except as expressly authorized herein, nor shall the charter of any municipality in Hillsborough County conflict with this Constitution or any such applicable general law except as expressly authorized herein, provided, however, that action taken under this home rule amendment may conflict with, modify or nullify any existing local, special or general law applicable only to Hillsborough County or any municipality therein only if expressly so intended and stated, and until such action is taken under this home rule amendment any such local, special and general law applicable only to Hillsborough County or any municipality therein shall remain in full force and effect.

(7) Nothing in this section shall be construed to limit or restrict the power of the Legislature to enact general laws which shall relate to Hillsborough County and any other one (1) or more counties of the State of Florida or to any municipality in Hillsborough County and any other one (1) or more municipalities of the State of Florida relating to county or municipal affairs, and all such general laws shall apply to Hillsborough County and to all municipalities therein to the same extent as if this section had not been adopted, and such general laws shall supersede any action taken under this home rule amendment, and shall supersede any provision of any charter of any municipality in Hillsborough County in conflict therewith.

(8) In any case in which Hillsborough County or any municipality in said county is prevented from enacting any ordinance under this amendment because the same is in conflict with general law, the Legislature may, by special act, authorize the enactment of such ordinance where such local act would be otherwise permissible under this Constitution.

(9) Nothing in this section shall be construed to limit or restrict the power and jurisdiction of the railroad and public utilities commission or of any other state agency, bureau or commission now or hereafter provided for in this Constitution or by general law and said state agencies, bureaus and commissions shall have the same powers in Hillsborough County and its municipalities as shall be conferred upon them in regard to other counties and municipalities.

(10) It is declared to be the intent of the Legislature and of the electors of the State of Florida to provide by this section home rule for the people of Hillsborough County and its municipalities in local affairs, subject to the adoption of a home rule charter as above provided, and this section shall be liberally construed to carry out such purpose, and it is further declared to be the intent of the Legislature and of the electors of the State of Florida that the provisions of this Constitution and general laws which shall relate to Hillsborough County and any other one (1) or more counties of the State of Florida or to any municipality in Hillsborough County and any other one (1) or more municipalities of the State of Florida enacted pursuant thereto by the Legislature shall be the supreme law in Hillsborough County, Florida, except as expressly provided herein and this section shall be strictly construed to maintain such supremacy of this Constitution and of the Legislature in the enactment of general laws pursuant to this Constitution.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Joint Resolution No. 1302, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments and Governmental Reorganization.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By the Committee on Game and Fresh Water Fish—

H. C. R. No. 1561—A CONCURRENT RESOLUTION REQUESTING THE GAME AND FRESH WATER FISH COMMISSION TO CONDUCT PUBLIC HEARINGS RELATIVE TO SALE OF PEN-RAISED QUAIL FOR FOOD PURPOSES AND TO TAKE ACTION APPROPRIATE TO THE RESULTS OF SUCH HEARINGS.

WHEREAS, The State of Georgia and many other states now permit the sale of legally produced pen-raised quail for food purposes, and

WHEREAS, The production of domestic game for release for hunting and for food is a rapidly growing industry in the United States and should be encouraged in Florida, and

WHEREAS, It is believed possible to prepare and put into effect procedures for identifying pen-raised quail which will adequately safeguard against the trapping of wild quail for market, NOW, THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA, THE SENATE CONCURRING:

That the Game and Fresh Water Fish Commission conduct a series of public hearings throughout Florida to determine the attitude of the sportsmen regarding the sale of pen-raised quail for food purposes, and that if the majority of expressed opinion favors the sale of pen-raised quail for food purposes the Game and Fresh Water Fish Commission is urged to amend its regulations to permit such sale with provisions in its regulations to adequately distinguish such pen-raised quail from wild quail.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 1561, contained in the above message, was read the first time in full and referred to the Committee on Game and Fisheries.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By The Committee on Pensions and Retirement—

H. B. No. 1550—A bill to be entitled An Act relating to the state and county retirement system, amending subsection (1) of section 122.03, Florida Statutes by deleting the proviso concerning officers and employees of municipalities taken over by any state board or agency; excepting employees of any muni-

cipality taken over by a county from compulsory participation in the state and county retirement system under certain conditions; granting such municipal employees the right to elect to remain members of a municipal retirement system and making provision therefor, and preserving their retirement benefits; providing for compulsory participation in the state and county retirement system, under a certain condition, as a new member; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1550, contained in the above message, was read the first time by title only.

Senator Eaton moved that the rules be waived and House Bill No. 1550 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1550 was read the second time by title only.

Senator Eaton moved that the rules be further waived and House Bill No. 1550 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1550 was read the third time in full.

Upon the passage of House Bill No. 1550 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicklitter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

Nays—None.

So House Bill No. 1550 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Karl and Sweeny of Volusia—

H. B. No. 1229—A bill to be entitled An Act relating to the City of Daytona Beach, in Volusia County; amending Subsections (b) and (d) of Section 1 of Chapter 30694, Laws of Florida, 1955; providing for the procedure to be followed in the annexation of contiguous unincorporated territory to the said City of Daytona Beach; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill

No. 1229 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1229, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Sheppard of Lee, Hathaway of Charlotte, Walker of Collier, Miner of Hendry, and Peeples of Glades—

H. B. No. 1530—A bill to be entitled An Act relating to Circuit Judges; providing for payment of supplemental compensation for circuit judges, qualified and serving as such, and residing in Charlotte, Collier, Glades, Hendry and Lee Counties of the Twelfth Judicial Circuit of the State of Florida; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1530, contained in the above message, was read the first time by title only.

Senator Gresham moved that the rules be waived and House Bill No. 1530 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1530 was read the second time by title only.

Senator Gresham moved that the rules be further waived and House Bill No. 1530 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1530 was read the third time in full.

Upon the passage of House Bill No. 1530 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicklitter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

Nays—None.

So House Bill No. 1530 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Edwards moved that Senate Bill No. 925, previously referred to the Committee on Welfare, be withdrawn from the Committee on Welfare and re-referred to the Committee on Education.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Melton moved that Senate Bills Nos. 926 and 927,

previously referred to the Committee on Transportation and Traffic, be also referred to the Committee on Motor Vehicles.

Which was agreed to by a two-thirds vote and it was so ordered.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Carney, Shaffer and Russell of Pinellas—

H. B. No. 1456—A bill to be entitled An Act relating to each judicial circuit embracing a county in the state having a population of not less than one hundred fifty thousand (150,000) nor more than two hundred forty thousand (240,000) inhabitants, according to the latest official state-wide decennial census; amending Section 2 of Chapter 57-848, Laws of Florida; authorizing additional secretaries for the State Attorney; providing salaries, therefore, providing an effective date.

Also—

By Messrs. Carney, Shaffer and Russell of Pinellas—

H. B. No. 1457—A bill to be entitled An Act to amend Section One of Chapter 57-1064, Laws of Florida, relating to the salaries of the secretaries to the state attorneys in each judicial circuit which embraces and includes a county having a population of not less than one hundred fifty thousand (150,000) and not more than two hundred forty thousand (240,000) inhabitants, according to the last official census; authorizing the county commission to pay a portion of such salaries from the general fund of such counties under certain conditions and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bills Nos. 1456 and 1457, contained in the above message, were read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Blank and Roberts of Palm Beach—

H. B. No. 1548—A bill to be entitled An Act relating to the Lake Worth Drainage District, a corporation under the general drainage laws of the State of Florida and existing and operating in Palm Beach County, Florida; providing for the inclusion, by resolution, of contiguous lands which the said Lake Worth Drainage District can serve within said district, conditioned upon the consent of Lake Worth Drainage District and the consent of the fee simple title holders and subjecting said included lands to the powers, controls and jurisdiction of the Lake Worth Drainage District, including taxes and regulations, providing an effective date.

Proof of publication attached.

Also—

By Messrs. Roberts and Blank of Palm Beach—

H. B. No. 1563—A bill to be entitled An Act to amend Section 8 of Chapter 7081, Laws of Florida, Acts of 1915, as amended, to provide for the levy and collection in the Port of Palm Beach District of a special tax not to exceed two (2) mills on the dollar of the assessed valuation of taxable property in said district or two hundred thousand (\$200,000.00) dollars, whichever is smaller in each year to pay the costs of operation, maintenance and other purposes of the district in addition to any taxes necessary for the payment of debt service on general obligation bonds heretofore or hereafter issued by the district; and to further amend and supplement said Chapter 7081, Laws of Florida, Acts of 1915, as amended, by authorizing said district to acquire or construct additions, extensions, and improvements to the port facilities of said district, and to finance the cost thereof by the issuance of revenue bonds or certificates of said district in a principal amount together with any revenue bonds or certificates now outstanding, of not exceeding one million (\$1,000,000.00) dollars to be outstanding at any one time; authorizing the district to issue revenue bonds or certificates to refund any outstanding revenue bonds or refunding revenue bonds heretofore and hereunder issued by said district; providing for the fixing and establishing of fees, rates, rentals or other charges for the services and facilities of said district and the pledge thereof to the payment of the principal of and interest on any revenue bonds or certificates issued by the district and providing that such revenue bonds or certificates issued shall not be or constitute an indebtedness of said district; authorizing covenants and agreements between the district and the holders of any revenue bonds or certificates to be issued by the district and providing for the rights, remedies and security of the holders of said revenue bonds or certificates and for the obligations and duties of the district relating thereto; and providing when this act shall take effect.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1548 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1548, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1563 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1563, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Allsworth and Ryan of Broward—

H. B. No. 1577—A bill to be entitled An Act relating to Broward County; to prevent untrue, deceptive, misleading or fraudulent advertising; providing a penalty for violation; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Allsworth and Ryan of Broward—

H. B. No. 1599—A bill to be entitled An Act providing that Article III, Section 3, Chapter 29609, Laws of Florida, Special Acts of 1953, being the charter of the city of Wilton Manors shall be amended so as to strike therefrom certain language providing for a waiting period after the passage of any ordinance which would increase the compensation for councilmen and the mayor; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Allsworth and Ryan of Broward—

H. B. No. 1600—A bill to be entitled An Act providing that Article III, Section 15, Chapter 29609, Laws of Florida, Special Acts of 1953, being the charter of the city of Wilton Manors shall be amended so as to extend to the police officers of the city of Wilton Manors the power to arrest for violations of municipal ordinances or state misdemeanors and felonies committed within the corporate limits of said city when such police officers are in fresh pursuit of the alleged violator from inside the corporate limits of said city to outside the corporate limits of said city; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1577 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1577, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1599 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1599, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1600 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1600, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Markham of Okeechobee—

H. B. No. 1545—A bill to be entitled An Act relating to barbers in counties in the state having a population of not less than three thousand four hundred forty-five (3,445) nor more than three thousand four hundred ninety (3,490) inhabitants according to the latest Official State-wide Decennial Census; exempting certain persons from the qualification and examination provisions of Sections 476.06, 476.08-10, Florida Statutes, under certain conditions; providing for issuance of barber certificate and license to such persons; providing an effective date.

Also—

By Messrs. Boyd and Knowles of Manatee—

H. B. No. 1553—A bill to be entitled An Act relating to Motor Vehicle applications in all counties having a population of not less than thirty-four thousand six hundred fifty (34,650) and not more than thirty-six thousand (36,000) according to the latest official state-wide decennial census; empowering the tax collectors of such counties to create branch offices of the county auto agency in such counties, providing for surety bonds to be given by the operators of such branch offices; providing for the fee or service charges for such operators as compensation for their services; operators to give a valid receipt for each application accepted or handled and remit to county tax collector within three (3) days; providing penalties for violation: providing an effective date.

Also—

By Messrs. Ryan and Allsworth of Broward—

H. B. No. 1409—A bill to be entitled An Act relating to the Compensation of the County Judge in all counties of the State of Florida having a population of not less than eighty thousand (80,000) nor more than one hundred thousand (100,000) inhabitants according to the Federal census of 1950; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1545, contained in the above message, was read the first time by title only and referred to the Committee on Public Health.

And House Bills Nos. 1553 and 1409, contained in the above message, were read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Karl and Sweeny of Volusia—

H. B. No. 1451—A bill to be entitled An Act to fix and provide for the compensation of members of the board of public instruction in counties in the State of Florida having a population of not less than sixty-five thousand (65,000) and not more than eighty thousand (80,000) according to the last preceding federal census; providing an effective date.

Also—

By Mr. Inman and Mrs. Johnson of Orange—

H. B. No. 1295—A bill to be entitled An Act to repeal Chapter 16059, Laws of Florida, 1933, relating to fixing the fees and compensation to be charged and received by justices of the peace in counties of the state of Florida having a population of more than 100,000 and less than 155,000 according to the last federal census insofar as said Chapter 16059 applies to or affects counties of this state having a population of not less than 114,900 and not more than 123,000 inhabitants according to the most recent federal census.

Also—

By Mr. Carney of Pinellas—

H. B. No. 1458—A bill to be entitled An Act relating to the justices of the peace and the justice of the peace courts and to justices of the peace acting as judges of small claims courts, county district courts, and as coroners; fixing a yearly allowance for expenses in the operation and function of said offices;



providing each justice of the peace be an attorney authorized to practice in Florida; providing for the purchase of equipment and supplies; providing for payment of said expenses; providing that all fees collected shall be trust money and properly deposited in a public depository and delivered monthly to the fine and forfeiture fund of the counties; providing for a report to the county commission on all fees collected and costs incurred; providing for requisitions of monthly expenditures; providing for this act to apply to all counties of this state having a population of not less than one hundred fifty thousand (150,000) and not more than two hundred forty thousand (240,000), according to the latest official state-wide decennial census; repealing Chapter 30507 Laws of Florida, 1955; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bills Nos. 1451, 1295 and 1458, contained in the above message, were read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Anderson of Jefferson—

H. B. No. 1429—A bill to be entitled An Act relating to the Board of County Commissioners in each county in the State having a population of not less than ten thousand two hundred (10,200) nor more than ten thousand four hundred and fifteen (10,415) inhabitants, according to the latest official state-wide decennial census; authorizing said board to appropriate and pay a sum certain to any city in said county, such sum to be used by said city to furnish fire protection for unincorporated areas outside said city limits; validating prior appropriations so made by said board; providing an effective date.

Also—

By Messrs. Inman and Arrington of Gadsden—

H. B. No. 1438—A bill to be entitled An Act empowering Boards of County Commissioners to supplement compensation of certain county fee officers in counties having a population of more than thirty-six thousand four hundred (36,400) and less than thirty-eight thousand (38,000) according to the last decennial federal census; providing an effective date.

Also—

By Messrs. Inman and Arrington of Gadsden—

H. B. No. 1439—A bill to be entitled An Act empowering Boards of County Commissioners to supplement compensation of certain county fee officers in counties having a population of more than thirty-six thousand four hundred (36,400) and less than thirty-eight thousand (38,000) according to the last decennial federal census, providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bills Nos. 1429, 1438 and 1439, contained in the above message, were read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Mitchell and Horne of Leon—

H. B. No. 1396—A bill to be entitled An Act relating to the establishment and maintenance of a county pound in counties in the state having a population of not less than forty-five thousand (45,000) and not more than fifty-five thousand (55,000), according to the latest official state-wide decennial census; providing for the appointment of an impounding officer, and defining his authority and duties; providing for the impounding and disposition of animals running at large or believed to be strays, or believed to be infected with rabies or other diseases; prescribing and conferring certain powers on the Board of County Commissioners in relation thereto; providing a penalty; providing an effective date.

Also—

By Messrs. Ryan and Allsworth of Broward—

H. B. No. 1408—A bill to be entitled An Act fixing the Compensation of the Clerk of the Circuit Court in all counties having a population of not less than eighty thousand (80,000) nor more than one hundred thousand (100,000) inhabitants by the latest official Federal census; and providing an effective date.

Also—

By Messrs. Roberts and Blank of Palm Beach—

H. B. No. 1414—A bill to be entitled An Act to repeal Chapter 15,621, Special Acts of 1931 and Chapter 16,059, Special Acts of 1933, Laws of Florida, dealing with the fees and compensation of Justices of the Peace in counties of the State of Florida having a certain population insofar as said Chapters may be applicable to Palm Beach County; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bills Nos. 1396 and 1408, contained in the above message, were read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1414 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1414, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Roberts and Blank of Palm Beach—

H. B. No. 1564—A bill to be entitled An Act pertaining to child care centers, nursery schools, kindergartens, child boarding homes and family care homes in Palm Beach County,

Florida; defining certain terms; providing for the establishment of a child care center board and designating the members thereof and the powers of the board; requiring a permit to establish, maintain, and operate such center, school or home; authorizing said board to make, promulgate, amend and repeal rules and regulations and making the violation thereof a misdemeanor punishable by fine or imprisonment or both; exempting from the operation of this act such institutions as are now or hereafter subject to regulation by any other governmental agency; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Griffin, Mattox and Chiles of Polk—

H. B. No. 1576—A bill to be entitled An Act authorizing the Board of Public Instruction of Polk County, Florida, to dispose of any school land or property belonging to the Polk County school system which is determined by the Board of Public Instruction of Polk County, Florida, to be unsuited for school purposes either because of location, condition, or other causes to the Board of County Commissioners of Polk County, Florida, and/or any other county governmental agency and/or city or municipality located in Polk County, Florida, for less than its appraised market value and prescribing the procedure to be followed in any such sale of school land or property; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1564 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1564, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1576 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1576, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 18, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Miner of Hendry—

H. B. No. 1466—A bill to be entitled An Act relating to grand juries in counties in the state having a population of not less than five thousand nine hundred (5,900) and not more than six thousand one hundred (6,100) inhabitants, according to the latest official state-wide decennial census; prohibiting payment of compensation until the filing of report; providing an effective date.

Also—

By Mr. Miner of Hendry—

H. B. No. 1467—A bill to be entitled An Act relating to methods of prosecution in counties in the state having a population of not less than five thousand nine hundred (5,900)

and not more than six thousand one hundred (6,100), according to the latest official state-wide decennial census; providing failure to prosecute shall result in dismissal of prosecution.

Also—

By Messrs. Allsworth and Ryan of Broward—

H. B. No. 1481—A bill to be entitled An Act prohibiting the taking, possessing, selling or transporting of sea turtles or sea turtle eggs in all counties in the state having a population of not less than eighty thousand (80,000) nor more than one hundred thousand (100,000) inhabitants according to the latest official state-wide decennial census, during the months of May, June, July and August of any year; providing penalty for violation; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bills Nos. 1466, 1467 and 1481, contained in the above message, were read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 19, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives requests the return of—

By Mr. Miner of Hendry—

H. B. No. 1467—A bill to be entitled An Act relating to methods of prosecution in counties in the state having a population of not less than five thousand nine hundred (5,900) and not more than six thousand one hundred (6,100), according to the latest official state-wide decennial census; providing failure to prosecute shall result in dismissal of prosecution.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Gresham moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Bill No. 1467 was ordered returned to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 19, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives requests the return of—

By Mr. Miner of Hendry—

H. B. No. 1466—A bill to be entitled An Act relating to grand juries in counties in the state having a population of not less than five thousand nine hundred (5,900) and not more than six thousand one hundred (6,100) inhabitants, according to the latest official state-wide decennial census; prohibiting

payment of compensation until the filing of report; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Gresham moved that the request of the House of Representatives, as contained in the foregoing message, be granted.

Which was agreed to and House Bill No. 1466 was ordered returned to the House of Representatives.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the Sergeant-At-Arms be instructed to enforce the provisions of Senate Rule No. 59, regarding persons entitled to admission to the floor of the Senate, fifteen minutes prior to the convening of the Senate.

Which was agreed to and it was so ordered.

Senator Knight requested unanimous consent of the Senate to take up and consider House Bill No. 596, out of its order.

Unanimous consent was granted, and—

H. B. No. 596—A bill to be entitled An Act relating to the Game and Fresh Water Fish Commission; providing that said Commission shall place markers on fresh water streams and lakes dividing Gulf and Franklin Counties for purpose of designating County boundary lines.

Was taken up.

Senator Knight moved that the rules be waived and House Bill No. 596 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 596 was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 596 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 596 was read the third time in full.

Upon the passage of House Bill No. 596 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Gresham	Pearce
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons		

Nays—None.

So House Bill No. 596 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Melton, on behalf of Senator Pope, Chairman of the Committee on County Organizations, who was excused from attendance upon the session because of illness, moved that the Committee on County Organizations be allowed an additional ten days to report on Senate Bill No. 836 and House Bill No. 674 now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Stratton, Chairman of the Committee on Labor and Industry, moved that the Committee on Labor and Industry be allowed an additional ten days to report on Senate Bills Nos. 840 and 792 now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Ripley moved that Senate Bill No. 410 be withdrawn from the Committee on Motor Vehicles.

Which was agreed to by a two-thirds vote and it was so ordered.

By unanimous consent, Senator Ripley withdrew Senate Bill No. 410 from the further consideration of the Senate.

#### MOTION TO RECONSIDER

The motion made by Senator Ripley on May 18, 1959, that the Senate reconsider the vote by which House Bill No. 396 failed to pass the Senate on May 15, 1959, was taken up.

H. B. No. 396—A bill to be entitled An Act amending Sections 903.29 and 903.31, Florida Statutes, and thereby providing that bondsmen or surety may return defendant within thirty days from date of forfeiture and receive refund of forfeiture; that bail bondsman or surety may arrest principal within certain time subsequent to forfeiture; that before forfeiture certain notices of trial to be given and that information or indictment filed within six months; conviction or acquittal of defendant concludes bond undertaking; repealing all laws and parts of laws in conflict herewith, and for effective date of October 1, 1959.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 396 failed to pass the Senate on May 15, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 396 failed to pass the Senate on May 15, 1959.

The question recurred on the passage of House Bill No. 396.

Upon call of the roll on the passage of House Bill No. 396, the vote was:

Yeas—31.

Mr. President	Carlton	Getzen	Melton
Adams	Carraway	Gibbons	Pearce
Beall	Clarke	Hair	Price
Belser	Connor	Hodges	Rawls
Boyd	Davis	Johns	Ripley
Brackin	Dickinson	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	

Nays—6.

Cross	Gresham	Stenstrom	Tedder
Eaton	Houghton		

So House Bill No. 396 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### CONSIDERATION OF SENATE BILLS AND JOINT RESOLUTIONS ON SECOND READING

Senate Bills Nos. 352, 866, 261, 203 and 581 were taken up in their order and the consideration thereof was informally passed, the Bills retaining their respective places on the Calendar of Bills on Second Reading.

Senator Cross requested unanimous consent of the Senate to take up and consider House Bill No. 831, out of its order.

Unanimous consent was granted, and—

H. B. No. 831—A bill to be entitled An Act relating to Boards of County Commissioners; providing for zoning of agricultural lands used exclusively for agricultural purposes, providing for assessing of agricultural land by Tax Assessor based only on agricultural use; providing for listing such agricultural lands as zoned; providing for applying for zoning restrictions and removal of restrictions; defining agricultural lands; providing effective date.

Was taken up.

Senator Cross moved that the rules be waived and House Bill No. 831 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 831 was read the second time by title only.

Senators Cross and Adams offered the following amendment to House Bill No. 831:

On page 1 following the enacting clause, strike out the remainder of the entire bill and insert in lieu thereof the following: Section 1. (1) The board of county commissioners of any county in the state is hereby authorized and empowered in its discretion to zone areas in the county exclusively used for agricultural purposes as agricultural lands; provided said lands have been used exclusively for agricultural purposes for five (5) years prior to such zoning.

(2) In the event that the board of county commissioners zone said lands as provided in subsection (1) then the board shall notify the tax assessor on or before November 1 and the tax assessor shall immediately after the first day of January of the succeeding year and on the first day of January of each succeeding year prepare and certify to the board of county commissioners a list of lands in the county so zoned as agricultural lands.

(3) The board of county commissioners shall examine said list and classification of such lands submitted by the tax assessor and shall make such reclassification as shall be appropriate or justified, and as reclassified shall zone such lands in the county for tax purposes only as agricultural.

(4) For the purpose of this section, "agricultural lands" shall include horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee and all forms of farm products and farm production.

(5) The county tax assessor in assessing such lands so zoned and exclusively used for agricultural purposes as described and listed shall consider no factors other than those relative to such use. The tax assessor in assessing land within this class shall take into consideration the following use factors only: The cost of the property as agricultural land, the present replacement value of improvements thereon, quantity and size of the property, the condition of said property, the present cash value of said property as agricultural land, the location of said property, the character of the area or place in which said property is located and such other agricultural factors as may from time to time become applicable.

(6) The board shall keep a record of such lands so zoned for tax purposes only and restricted for agricultural lands and shall remove such zoning restrictions whenever lands so zoned are used for any other purpose.

Section 2. This act shall take effect July 1, 1959.

Senator Cross moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senators Cross and Adams also offered the following amendment to House Bill No. 831:

In Title, page 1, strike out the words:

An Act relating to boards of county commissioners; providing for zoning of agricultural lands used exclusively for agricultural purposes; providing for assessing of agricultural land by tax assessor based only on agricultural use; providing for listing such agricultural lands as zoned; providing for applying for zoning restrictions and removal of restrictions; defining agricultural lands; providing effective date.

and insert in lieu thereof the following:

An Act relating to taxation; permitting boards of county commissioners to zone agricultural lands used exclusively for agricultural purposes and establishing procedure therefor; providing for the assessment of such lands; and providing an effective date.

Senator Cross moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cross moved that the rules be further waived and House Bill No. 831, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 831, as amended, was read the third time in full.

Upon the passage of House Bill No. 831, as amended, the roll was called and the vote was:

Yeas—16.

Mr. President	Carlton	Getzen	Melton
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Bronson	Edwards	Johns	Tedder

Nays—20.

Belser	Clarke	Gibbons	Pearce
Boyd	Davis	Gresham	Ripley
Brackin	Dickinson	Houghton	Stenstrom
Branch	Eaton	Kicliter	Stratton
Carraway	Gautier	Knight	Sutton

So House Bill No. 831, as amended, failed to pass.

By unanimous consent, Senator Cross withdrew Senate Bill No. 587 from the further consideration of the Senate.

Senate Bill No. 714 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

Senator Beall moved that Senate Joint Resolution No. 366 be re-referred to an appropriate committee.

Which was agreed to and Senate Joint Resolution No. 366 was recommitted to the Committee on Constitutional Amendments and Governmental Reorganization.

Senate Bill No. 447 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

S. B. No. 452—A bill to be entitled An Act relating to the issuance of search warrants for the search of private dwellings; amending Section 933.18, Florida Statutes, by providing for the issuance of a search warrant for the search of a private dwelling when it contains an instrumentality or means by which a crime has been committed; and prescribing effective date hereof.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 452 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 452 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 452 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 452 was read the third time in full.

Upon the passage of Senate Bill No. 452 the roll was called and the vote was:

Yeas—34.

Mr. President	Carraway	Gibbons	Pearce
Adams	Clarke	Gresham	Price
Beall	Connor	Hair	Rawls
Belser	Cross	Hodges	Stenstrom
Boyd	Davis	Houghton	Stratton
Brackin	Dickinson	Kelly	Sutton
Branch	Eaton	Kicliter	Tedder
Bronson	Gautier	Knight	
Carlton	Getzen	Melton	

Nays—1.

Ripley

So Senate Bill No. 452 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 454—A bill to be entitled An Act relating to witnesses before the prosecuting attorney of the county court; amending Section 34.14, Florida Statutes, by authorizing such prosecuting attorney to administer oaths to, and take recognizances from, witnesses who voluntarily appear before him,

and by providing that the compensation and mileage prescribed by law for witnesses in county courts shall be paid to witnesses compelled to appear before him and to witnesses who voluntarily appear before him and are administered an oath by him; and prescribing the effective date hereof.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 454 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 454 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 454 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 454 was read the third time in full.

Upon the passage of Senate Bill No. 454 the roll was called and the vote was:

Yeas—34.

Mr. President	Clarke	Gresham	Price
Adams	Connor	Hair	Rawls
Belser	Cross	Hodges	Ripley
Boyd	Davis	Houghton	Stenstrom
Brackin	Dickinson	Kelly	Stratton
Branch	Eaton	Kiehlter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 454 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 455 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

S. B. No. 459—A bill to be entitled An Act relating to forfeiture proceedings under the beverage law; amending Section 562.404, Florida Statutes, by providing that the attorney for the Board of County Commissioners, instead of the State Attorney, shall be served with a copy of the return of the Board of County Commissioners and shall represent the state in the forfeiture proceedings; and prescribing the effective date hereof.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 459 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 459 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 459 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 459 was read the third time in full.

Upon the passage of Senate Bill No. 459 the roll was called and the vote was:

Yeas—21.

Adams	Carraway	Gibbons	Rawls
Belser	Davis	Hair	Stenstrom
Boyd	Dickinson	Houghton	Tedder
Branch	Eaton	Kelly	
Bronson	Gautier	Knight	
Carlton	Getzen	Price	

Nays—13.

Mr. President	Clarke	Cross	Hodges
Brackin	Connor	Gresham	Kiehlter

Melton  
Pearce

Ripley

Stratton

Sutton

So Senate Bill No. 459 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 461 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

S. B. No. 463—A bill to be entitled An Act making it a misdemeanor to knowingly make a false report or representation or give false information to the effect that a bomb or other explosive will be exploded or has been placed or is located, or that a dangerous hazard exists, in or about any building, train, aircraft, vessel or vehicle or any place used as a public gathering place, with intent to cause another person to be apprehensive of personal danger to himself or another or of destruction of or damage to property, or with intent to cause inconvenience to another or to cause a search or investigation to be made; prescribing penalties for the violation of this Act and providing that its provisions shall be severable; prescribing a prima facie evidence rule; and prescribing the effective date hereof.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 463 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 463 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 463 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 463 was read the third time in full.

Upon the passage of Senate Bill No. 463 the roll was called and the vote was:

Yeas—32.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Belser	Cross	Hair	Price
Boyd	Davis	Hodges	Rawls
Brackin	Dickinson	Houghton	Stenstrom
Branch	Eaton	Kelly	Stratton
Bronson	Gautier	Kiehlter	Sutton
Carlton	Getzen	Knight	Tedder

Nays—1.

Ripley

So Senate Bill No. 463 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 465 was taken up in its order and the consideration thereof was informally passed, the bill retaining its place on the Calendar of Bills on Second Reading.

S. B. No. 458—A bill to be entitled An Act relating to forfeiture proceedings under the gambling and lottery laws; amending Section 849.42, Florida Statutes, by providing that the attorney for the Board of County Commissioners, instead of the State Attorney, shall be served with a copy of the sheriff's return and shall represent the state in the forfeiture proceedings; and prescribing the effective date hereof.

Was taken up in its order.

Senator Knight moved that the rules be waived and Senate Bill No. 458 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 458 was read the second time by title only.

Senator Knight moved that the rules be further waived and Senate Bill No. 458 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 458 was read the third time in full.

Upon the passage of Senate Bill No. 458 the roll was called and the vote was:

Yeas—9.

Belser	Bronson	Knight	Rawls
Boyd	Getzen	Price	
Branch	Gibbons		

Nays—24.

Mr. President	Connor	Hair	Melton
Adams	Cross	Hodges	Pearce
Brackin	Davis	Houghton	Ripley
Carlton	Eaton	Johns	Stenstrom
Carraway	Gautier	Kelly	Stratton
Clarke	Gresham	Kicliter	Sutton

So Senate Bill No. 458 failed to pass.

Senator Hodges, President Pro Tempore, presiding.

S. B. No. 67—A bill to be entitled An Act relating to drivers licenses, amending Section 322.18; Subsections (1), (3) and (4) of Section 322.21 and Section 322.17, Florida Statutes; providing for the issuance of drivers licenses during the birth month of the driver; prescribing fees for delinquent licenses; prescribing fees for operators and chauffeurs licenses and distribution thereof; prescribing driver examinations and duplicate certificates; providing for the issuance of drivers licenses by mail through the Department of Public Safety; and providing an effective date.

Was taken up in its order.

Senator Eaton moved that the rules be waived and Senate Bill No. 67 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 67 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 67:

By the Committee on Appropriations—

Committee Substitute for S. B. No. 67—A bill to be entitled An Act relating to drivers licenses, amending Section 322.18; Subsection (1) of Section 322.21 and Section 322.17, Florida Statutes; providing for the issuance of drivers licenses during the birth month of the driver; prescribing fees for delinquent licenses; prescribing fees for operators and chauffeurs licenses; prescribing driver examinations and duplicate certificates; and providing an effective date.

Was read the first time by title only.

Senator Eaton moved that the rules be waived and the Committee Substitute for Senate Bill No. 67 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 67 was read the second time by title only.

Senator Eaton moved the adoption of the Committee Substitute for Senate Bill No. 67.

Which was agreed to and the Committee Substitute for Senate Bill No. 67 was adopted.

Senator Rawls offered the following amendment to Committee Substitute for Senate Bill No. 67:

In Section 1, line 4, page 1, strike the entire Subsection (1) and insert in lieu thereof the following:

(1) Every operator's and chauffeur's license shall expire at midnight, September thirtieth of each year, unless said date falls on Sunday, in which case the license shall expire at midnight on October first of each year.

Senator Rawls moved the adoption of the amendment.

Pending further consideration of the motion made by Senator Rawls, Senator Davis moved that the rules be waived

and the time of adjournment be extended until final disposition of the Amendments to Committee Substitute for Senate Bill No. 67.

Which was agreed to by a two-thirds vote and it was so ordered.

The question recurred on the motion made by Senator Rawls.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Rawls, the vote was:

Yeas—14.

Mr. President	Davis	Johns	Stenstrom
Branch	Getzen	Knight	Stratton
Bronson	Hair	Melton	
Clarke	Hodges	Rawls	

Nays—23.

Adams	Carraway	Gautier	Pearce
Beall	Connor	Gibbons	Price
Belser	Cross	Gresham	Ripley
Boyd	Dickinson	Houghton	Sutton
Brackin	Eaton	Kelly	Tedder
Carlton	Edwards	Kicliter	

So the amendment failed of adoption.

Senator Carraway offered the following amendment to Committee Substitute for Senate Bill No. 67:

In Section 1, Subsection (2), page 2, line: 9, strike out the period and insert in lieu thereof the following: “, said delinquent fee to be forwarded by the county judge to the department of public safety.”

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Carraway also offered the following amendment to Committee Substitute for Senate Bill No. 67:

In Section 2, Subsection (d), page 3, strike out the entire subsection and insert in lieu thereof the following: (d) In addition to the fees prescribed in paragraph (a) and (b) of Subsection (1) of this section, the county judge shall collect a fee of one dollar (\$1.00) from each applicant who has satisfactorily completed a driver's examination or reexamination and upon his application for a driver's license, to cover the cost of said examination or reexamination, and forward the said fee to the Department of Public Safety.

Senator Carraway moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

There being no further amendments, Committee Substitute for Senate Bill No. 67, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 1:16 o'clock P.M., until 3:00 o'clock P.M., this day, pursuant to the motion made by Senator Davis, Chairman of the Committee on Rules and Calendar, and adopted by the Senate, on May 15, 1959.

## AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock P.M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Carraway	Getzen	Knight
Adams	Clarke	Gibbons	Melton
Beall	Connor	Gresham	Pearce
Belser	Cross	Hair	Price
Boyd	Davis	Hodges	Ripley
Brackin	Dickinson	Houghton	Stenstrom
Branch	Eaton	Johns	Stratton
Bronson	Edwards	Kelly	Sutton
Carlton	Gautier	Kicliter	Tedder



—36.

A quorum present.

Senators Pope and Rawls were excused from attendance upon the Session.

By permission the following Reports of Committees were received:

#### REPORTS OF COMMITTEES

Senator Dickinson, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following Bill:

S. B. No. 198—A bill to be entitled An Act amending Sections 222.11 and 222.12, Florida Statutes, by providing an exemption from attachment or garnishment or other process of wages, salaries or compensation for personal services for a head of a family who is a resident of Florida; providing that twenty-five per cent (25%) of such wages, salaries or compensation for personal services shall be subject to attachment, garnishment or other process, except wages, salaries or compensation for personal services of a head of a family earning less than one hundred dollars (\$100.00) per month, which shall be entirely exempt; fixing an effective date.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Pearce, Chairman of the Committee on General Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 432—A bill to be entitled A Bill to promote peaceful relationships between the races in the crisis arising from the integration of public schools pursuant to the decision of the Supreme Court of the United States invalidating segregated public schools; to ease tensions in said regard; to provide means to avoid racial conflict in the transitional period following said decision of the United States Supreme Court; to provide means for elucidating, assessing and solving the local problems arising during such transition; to ameliorate and lessen conscientious objections to compulsory integration; to provide for the withdrawal of children from public schools and grants-in-aid from public school funds to parents to assist in the education of their children under certain conditions; and providing for the administration of said grants-in-aid.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Constitutional Amendments and Governmental Reorganization, under the original joint reference.

Senator Pearce, Chairman of the Committee on General Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 623—A bill to be entitled An Act providing for and requiring the furnishing of personal records by all State officers and employees, not herein exempted, and providing for the filing and preservation thereof; and providing when this Act shall take effect.

—and recommends that the same pass with Committee Amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Pearce, Chairman of the Committee on General Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 624—A bill to be entitled An Act relating to public education: authorizing means and methods by which county school boards may successfully evaluate, assess, elucidate and solve school problems arising from the school desegregation decisions of the Supreme Court of the United States by authorizing each county school board to provide for referendums of the school patrons to indicate their approval or disapproval of the establishment of a school or schools

within the county or a school district or any geographic area within the county to be attended by pupils of any race, and the establishment of a school or schools which may be attended only by pupils of the same sex; providing for a referendum on the matter of reopening any school or schools suspended because of the financial impracticability of operating same due to curtailed pupil enrollment; or, any school suspended because of physical violence, disorder, or other disruptions of the orderly operation of the public school system; providing the administrative machinery for holding said referendums; providing also for the conduct of surveys, studies, and the establishment of advisory committees in all matters and proceedings involving the public school system; providing discretionary authority for the county school boards to conduct public meetings and hearings in all such matters.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Pearce, Chairman of the Committee on General Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 892—A bill to be entitled An Act relating to the use of state instructional personnel at the elementary, grade, college and all other educational levels; providing said personnel may only be used to teach an integrated class when compelled to do so by an order of a court of competent jurisdiction or by the assignment of a mixed class by the local school board; forbidding the use of public funds to pay the expenses or salaries of any such state personnel when teaching or lecturing to any mixed group not in conformity with this act; providing a penalty for violation of this act; providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 379—A bill to be entitled An Act relating to the State Board of Health and the State Department of Public Welfare: amending Chapter 381 by adding a section providing that all medical services and drugs furnished by the said agencies are authorized to be purchased through the State Board of Health and setting an effective date.

—and recommends that the same pass with Committee Amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendment attached thereto, was referred to the Committee on Welfare, under the original joint reference.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 736—A bill to be entitled An Act relating to the State Tuberculosis Board, its membership, powers and duties, and the treatment and discharge of persons infected with tuberculosis; amending Sections 392.01, 392.06 and 392.11 and adding Sections 392.006 and 392.111 to Chapter 392, Florida Statutes; providing penalty for violation of new Section 392.111; providing an effective date.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 764—A bill to be entitled An Act relating to the survey of State Hospital facilities; amending Section 380.01, Florida Statutes, designating the Florida Development Commission as the responsible agency; authorizing the Governor to appoint a State Advisory Council; providing for the ap-

pointment, terms and qualifications of such council, and setting an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bills:

S. B. No. 719—A bill to be entitled An Act relating to the Milk Commission; amending Chapter 501, Florida Statutes, by requiring an audit by independent auditor of distributors' records; providing an effective date.

S. B. No. 720—A bill to be entitled An Act relating to the Milk Commission; amending Chapter 501, Florida Statutes, by prohibiting a retailer from limiting the quantity of milk which may be purchased or make purchase contingent upon purchase of any other item; providing an effective date.

S. B. No. 721—A bill to be entitled An Act relating to the Milk Commission; amending Chapter 501, Florida Statutes, by amending Section 501.03, Florida Statutes, by providing administrator to be employed by Milk Commission; providing an effective date.

—and recommends that the same not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bills:

S. B. No. 722—A bill to be entitled An Act relating to the Milk Commission; amending Chapter 501, Florida Statutes, by amending Subsection (4) of Section 501.09, Florida Statutes, by increasing the tax to be paid by a distributor to fifteen-one hundredths (15/100) of one cent (\$.01) per gallon, amending Subsection (6) of Section 501.09, Florida Statutes, by imposing the same tax on producers as herein imposed on distributors; providing an effective date.

S. B. No. 724—A bill to be entitled An Act relating to the Milk Commission; amending Chapter 501, Florida Statutes, by amending Subsection (1) of Section 501.13, Florida Statutes, by deleting therefrom all reference to retail prices; repealing Subsection (2) of Section 501.13, Florida Statutes, which relates to retail prices for milk; amending Subsection (3) of Section 501.13, Florida Statutes, by deleting therefrom all reference to retail prices; amending Subsection (4) of Section 501.13, Florida Statutes, by deleting therefrom all reference to retail prices; amending Subsection (7) of Section 501.13, Florida Statutes, by deleting therefrom all reference to retail prices; by providing formula for determining a price below which milk cannot be sold in stores; by providing an effective date.

S. B. No. 725—A bill to be entitled An Act relating to the Milk Commission; amending Chapter 501, Florida Statutes, by amending Section 501.04, Florida Statutes, by adding a new Section (13) by authorizing the commission to establish procedures for determining butterfat content; providing an effective date.

—and recommends that the same not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 726—A bill to be entitled An Act relating to the Milk Commission; amending Chapter 501, Florida Statutes, by providing that an established contractual relationship between a producer and distributor cannot be terminated by either except for just cause; providing an effective date.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Brackin, Chairman of the Committee on Public

Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 862—A bill to be entitled An Act amending Section 400.01(1), Florida Statutes, providing for the definition of nursing home and providing certain exemptions therefrom.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Brackin, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

H. B. No. 756—A bill to be entitled An Act relating to the pollution of the Peace River; prohibiting the discharge of waste, wash or debris into the Peace River; providing method of procedure and penalties for violation; providing for injunctive relief; providing effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Drainage and Water Conservation, under the original joint reference.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 552—A bill to be entitled An Act relating to taxation; amending Section 201.02, Florida Statutes, by adding an additional Proviso excluding from taxation deeds issued pursuant to agreement for deed agreement to sell or convey, etc., if said agreement is recorded and bears documentary stamps for the full consideration; providing an effective date.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 799—A bill to be entitled An Act relating to tax assessments and tax sales; amending Subsections (1) and (2) of Section 193.65, Florida Statutes, providing for increase of tax; providing effective date.

S. B. No. 864—A bill to be entitled An Act relating to tax assessment rolls; amending Section 193.30, Florida Statutes, by providing for a copy of the assessment roll to be filed with the clerk of the circuit court; providing for an effective date.

S. B. No. 916—A bill to be entitled An Act relating to tax on sales, use and certain transactions; amending Section 212.10, Florida Statutes, to provide procedure for collecting unpaid sales or use tax when person quits business and implementing garnishment procedure for collection of unpaid sales or use tax; amending Subsection (1) of Section 212.14, Florida Statutes, to grant power of garnishment to comptroller; amending Subsection (3) of Section 212.15, Florida Statutes, to grant power of garnishment to comptroller to collect delinquent sales and use taxes; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 823—A bill to be entitled An Act to provide for the collection of a tax on motor fuel not purchased in this State by certain trucks, buses, and similar vehicles upon entering the State; providing for the collection of such tax and the procedure therefor, and for the distribution of such tax; providing for the exemption of the weight of fuel in the vehicle fuel tank; providing effective date.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bill contained in the preceding report, with the

recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 917—A bill to be entitled An Act relating to tax on sales, use and certain transactions; amending Subsection (1) of Section 212.06, Florida Statutes, to clarify when tax is collectable; amending Paragraph (g) of Subsection (2) of Section 212.06, Florida Statutes, to further define "dealer"; and providing an effective date.

S. B. No. 920—A bill to be entitled An Act relating to tax on sales, use and certain transactions; amending Subsection (3) of Section 212.02, Florida Statutes, by adding a new paragraph (b) to further define "retail sales", etc.; amending Section 212.02 (3) (6) and renumbering same as 212.02 (3) (c), to define "immediately dissipated;" renumbering 212.02 (3) (c) as 212.02 (3) (d); amending Section 212.02, Florida Statutes, by adding a Subsection numbered (17), to define "in this state"; and providing an effective date.

—and recommends that the same pass with Committee Amendments as attached thereto.

And the Bills contained in the preceding report, together with the Committee Amendments attached thereto, were placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 918—A bill to be entitled An Act relating to tax on sales, use and certain transactions; amending Subsection (3) of Section 212.08, Florida Statutes; exempting certain vehicles from this Subsection; providing an effective date.

S. B. No. 922—A bill to be entitled An Act relating to tax on sales, use and certain transactions; amending Subsections (7) and (8), Section 212.06, Florida Statutes, regarding reciprocity on sales and use tax collection, and amending Subsection (2), Section 212.05, Florida Statutes, to conform thereto; providing an effective date.

S. B. No. 923—A bill to be entitled An Act relating to tax on sales, use and certain transactions; amending Subsection (2) of Section 212.13, Florida Statutes, to provide for reimbursement of state for expenses incurred in out-of-state inspections; amending Section 212.20, Florida Statutes, by adding a subsection numbered (4), to establish a revolving fund, with limitations, to pay certain expenses therefrom and to deposit money received under Section 212.13 (2) therein; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

H. B. No. 446—A bill to be entitled An Act relating to excise tax on promissory notes, written obligations to pay money and assignments of wages; amending Subsections (1) and (2) of Section 201.08, Florida Statutes, by providing that excise tax shall be ten cents (10c) per one hundred dollars (\$100.00) or fractional part thereof; providing an effective date.

H. B. No. 903—A bill to be entitled An Act relating to State-owned tangible personal property, amending Section 273.02, Florida Statutes, and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Stratton, Chairman of the Committee on Labor and Industry, reported that the Committee had carefully considered the following Bills:

S. B. No. 830—A bill to be entitled An Act to amend Section 440.39, Florida Statutes, relating to the payment of workmen's compensation benefits where the employee is injured or

killed by the negligence or wrongful act of a third party tortfeasor and actions at law and other remedies against such third parties; providing loss-experience credit; providing an effective date.

S. B. No. 896—A bill to be entitled An Act authorizing the State, its various organizations, agencies and political divisions, county government, their agencies and municipal governments and any sub-divisions thereof to authorize the deduction from employees wages, of a portion of such wages for the payment of certain limited purposes upon the request of the employee; providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Stratton, Chairman of the Committee on Labor and Industry, reported that the Committee had carefully considered the following Bills:

H. B. No. 432—A bill to be entitled An Act relating to weapons and firearms; amending Section 790.18, Florida Statutes, by adding a new subsection prohibiting dealers from selling bulk black powder or other explosives to any child under eighteen (18) years of age without written permission of parent or guardian of such child; renumbering subsections; providing an effective date.

H. B. No. 586—A bill to be entitled An Act to amend Subsection (10) of Section 440.20, Florida Statutes, relating to commutation of liability for workmen's compensation and remedial treatment by payment of a lump sum, by specifying the procedure and conditions therefor, and providing an effective date.

H. B. No. 901—A bill to be entitled An Act amending Section 334.02, Florida Statutes, relating to the State Road Department by adding Subsection (11) thereto and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Stratton, Chairman of the Committee on Labor and Industry, reported that the Committee had carefully considered the following Concurrent Resolution:

H. C. R. No. 1031—A Concurrent Resolution inviting the shipping industry to site home offices at any Florida port.

—and recommends that the same pass.

And the Concurrent Resolution contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Clarke, Chairman of the Committee on Public Utilities, reported that the Committee had carefully considered the following Bill:

S. B. No. 329—A bill to be entitled An Act relating to auto transportation companies; amending Section 323.29, Florida Statutes, by adding thereto a new Subsection (3) to exempt from regulation motor vehicles transporting construction aggregates and motor vehicles transporting ice for use in packing agricultural or horticultural commodities; and providing an effective date.

—and recommends that the same pass with Committee Amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

#### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

Committee Substitute for S. B. No. 67—A bill to be entitled An Act relating to drivers licenses, amending Section 322.18; Subsection (1) of Section 322.21 and Section 322.17, Florida Statutes; providing for the issuance of drivers licenses during the birth month of the driver; prescribing fees for delinquent licenses; prescribing fees for operators and chauffeurs licenses; prescribing driver examinations and duplicate certificates; and providing an effective date.

—begs leave to report that the Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Committee Substitute for Senate Bill No. 67, contained in the above report was placed on the Calendar of Bills and Joint Resolutions on Third Reading.

#### ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

Com. Sub. for S. B. No. 33

S. B. No. 111	S. B. No. 437
S. B. No. 254	S. C. R. No. 681
S. B. No. 284	S. B. No. 694
S. B. No. 287	S. B. No. 775
S. B. No. 323	S. B. No. 776
S. B. No. 345	S. B. No. 802
S. B. No. 364	S. B. No. 804

—reports same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 19, 1959, for his approval.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Enrolling Clerk  
of the Senate.

Your Enrolling Clerk, to whom was referred—

S. B. No. 696

—reports same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 19, 1959, for his approval.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Enrolling Clerk  
of the Senate.

Your Enrolling Clerk, to whom was referred—

S. B. No. 658  
S. B. No. 659  
S. J. R. No. 734

—reports same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 19, 1959, for his approval.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Enrolling Clerk  
of the Senate.

Your Enrolling Clerk, to whom was referred—

S. B. No. 779

—reports same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 19, 1959, for his approval.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Enrolling Clerk  
of the Senate.

Senator Kicliter requested unanimous consent of the Senate to take up and consider House Bill No. 1324, out of its order.

Unanimous consent was granted, and—

H. B. No. 1324—A bill to be entitled An Act authorizing and providing for the establishment of water districts in Martin County; authorizing and empowering such water districts to acquire, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain and operate waterworks and sewerage facilities, either within or without or partly within and partly without such districts; prescribing the powers and duties of such districts; providing for paying the whole or a part of the cost of waterworks and sewerage facilities by the issuance of bonds payable (1) from water rates or sewer service charges or from such rates or charges or special assessments, or (2) from such rates or charges, or from such rates or charges and special assessments and, to the extent necessary, ad valorem taxes; providing for the imposition and collection of water rates and sewer service charges, and for the levy of special assessments and taxes, and for the application of the proceeds thereof; granting to such water districts the power to acquire necessary real and personal property, and to exercise the power of eminent domain; authorizing acceptance of grants and contributions in aid of the purposes of the act; authorizing the issuance of refunding bonds; prescribing the powers and duties of the board of county commissioners of said county in relation to the foregoing; and repealing any conflicting laws; providing for an effective date.

Was taken up.

Senator Kicliter moved that the rules be waived and House Bill No. 1324 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1324 was read the second time by title only.

Senator Kicliter offered the following amendment to House Bill No. 1324:

In Section 9, line 2, page 18, strike out the words: five per centum (5%) and insert in lieu thereof the following: six per centum (6%)

Senator Kicliter moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kicliter also offered the following amendment to House Bill No. 1324:

In Section 9, line 7, page 19, strike out the words: five per centum (5%) and insert in lieu thereof the following: six per centum (6%)

Senator Kicliter moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kicliter moved that the rules be further waived and House Bill No. 1324, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1324, as amended, was read the third time in full.

Upon the passage of House Bill No. 1324, as amended, the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Getzen	Knight
Adams	Clarke	Gibbons	Melton
Beall	Connor	Gresham	Pearce
Belser	Cross	Hair	Price
Boyd	Davis	Hodges	Ripley
Brackin	Dickinson	Houghton	Stenstrom
Branch	Eaton	Johns	Stratton
Bronson	Edwards	Kelly	Sutton
Carlton	Gautier	Kicliter	Tedder

Nays—None.

So House Bill No. 1324 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Dickinson requested unanimous consent of the Senate to take up and consider Committee Substitute for House Bill No. 546, out of its order.

Unanimous consent was granted, and--

Committee Substitute for H. B. No. 546—A bill to be entitled An Act relating to sheriffs; amending Subsection (2) of Section 30.48, Florida Statutes, enacted as Subsection (2) of Section 2 of Chapter 57-368, Laws of 1957; repealing Section 30.47, Florida Statutes, also Section 1 of Chapter 57-368, Laws of 1957; repealing Section 30.54, Florida Statutes, also Sections 9 and 10 of Chapter 57-368, Laws of 1957; providing uniform salaries and deleting from said chapters certain exemptions; amending Subsection (3) of Section 30.49, Florida Statutes, relating to review and appeals procedures; providing an effective date.

Was taken up.

Senator Dickinson moved that the rules be waived and Committee Substitute for House Bill No. 546 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 546 was read the second time by title only.

Senator Dickinson offered the following amendment to Committee Substitute for House Bill No. 546:

In Section 3, line 16, of page 2, strike out the words "provided, however, that the total sum of the entire budget for the budget year 1959-1960 shall not be reduced below the sum total budget of the office for the last past year, except upon request of the sheriff, which" and insert in lieu thereof the following: the

Senator Dickinson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Dickinson moved that the rules be further waived and Committee Substitute for House Bill No. 546, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 546, as amended, was read the third time in full.

Upon the passage of Committee Substitute for House Bill No. 546, as amended, the roll was called and the vote was:

Yeas—32.

Mr. President	Carraway	Gibbons	Knight
Adams	Clarke	Gresham	Melton
Beall	Connor	Hair	Pearce
Belser	Cross	Hodges	Price
Brackin	Dickinson	Houghton	Ripley
Branch	Eaton	Johns	Stenstrom
Bronson	Gautier	Kelly	Stratton
Carlton	Getzen	Kicliter	Sutton

Nays—None.

So Committee Substitute for House Bill No. 546 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Dickinson withdrew Senate Bill No. 280 from the further consideration of the Senate.

Senator Adams, Chairman of the Committee on Finance and Taxation, moved that the Committee on Finance and Taxation be allowed an additional ten days to report on Senate Bills Nos. 216 and 551 now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Adams moved that Senate Bill No. 519 be withdrawn from the Committee on Temperance and referred to the Committee on Finance and Taxation, under the original multiple reference.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Ripley moved that Senate Bill No. 901 be withdrawn from the Committee on Labor and Industry.

Which was agreed to by a two-thirds vote and it was so ordered.

By unanimous consent, Senator Ripley withdrew Senate Bill No. 901 from the further consideration of the Senate.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the Senate proceed to the consideration of House Bills on the Calendar.

Which was agreed to by a two-thirds vote.

#### CONSIDERATION OF HOUSE BILLS ON SECOND READING

House Bill No. 383 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

H. B. No. 292—A bill to be entitled An Act authorizing municipalities in the exercise of police powers to establish minimum housing standards for human habitations; and providing for the enforcement of such regulations.

Was taken up in its order.

Senator Kicliter moved that the rules be waived and House Bill No. 292 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 292 was read the second time by title only.

The Committee on Cities and Towns offered the following amendment to House Bill No. 292:

In title, line 5, page 1, strike out the period and insert in lieu thereof the following: ; and providing for effective date.

Senator Kicliter moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Kicliter moved that the rules be further waived and House Bill No. 292, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 292, as amended, was read the third in full.

Upon the passage of House Bill No. 292, as amended, the roll was called and the vote was:

Yeas—20.

Belser	Clarke	Getzen	Kicliter
Boyd	Cross	Gibbons	Melton
Bronson	Dickinson	Gresham	Price
Carlton	Eaton	Hodges	Stenstrom
Carraway	Gautier	Kelly	Stratton

Nays—14.

Mr. President	Connor	Houghton	Ripley
Adams	Davis	Johns	Sutton
Brackin	Edwards	Knight	
Branch	Hair	Pearce	

So House Bill No. 292 passed, as amended.

Senator Kelly moved that the Senate reconsider the vote by which House Bill No. 292, as amended, passed the Senate, this day.

Senator Stratton moved that the rules be waived and the Senate do now take up and consider the motion made by Senator Kelly to reconsider the vote by which House Bill No. 292, as amended, passed the Senate this day.

The question was put on the motion made by Senator Stratton.

Which was not agreed to, so the motion made by Senator Kelly went over under the rule.

Senator Gautier moved that the Senate reconsider the vote by which House Bill No. 831, as amended, failed to pass the Senate, this day.

And the motion went over under the rule.

H. B. No. 356—A bill to be entitled An Act relating to Alcoholic Beverages; amending Section 205.71, Florida Statutes; by including "distributor" to the provisions of said section; providing an effective date.

Was taken up in its order.

Senator Ripley moved that the rules be waived and House Bill No. 356 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 356 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 356 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 356 was read the third time in full.

Upon the passage of House Bill No. 356 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Getzen	Knight
Adams	Clarke	Gibbons	Melton
Beall	Connor	Gresham	Pearce
Belser	Cross	Hair	Price
Boyd	Davis	Hodges	Ripley
Brackin	Dickinson	Houghton	Stenstrom
Branch	Eaton	Johns	Stratton
Bronson	Edwards	Kelly	Sutton
Carlton	Gautier	Kicliter	Tedder

Nays—None.

So House Bill No. 356 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 182 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

H. B. No. 291—A bill to be entitled An Act relating to regulation of traffic on highways; amending Section 317.59, Florida Statutes, by adding Subsection (2) to provide additional requirements for use of lower beam headlights; renumbering present Section Subsection (1); providing an effective date.

Was taken up in its order.

Senator Kelly moved that the rules be waived and House Bill No. 291 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 291 was read the second time by title only.

Senator Kelly moved that the rules be further waived and House Bill No. 291 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 291 was read the third time in full.

Upon the passage of House Bill No. 291 the roll was called and the vote was:

Yeas—18.

Mr. President	Bronson	Gresham	Kelly
Adams	Clarke	Hair	Knight
Belser	Davis	Hodges	Melton
Boyd	Eaton	Houghton	
Branch	Edwards	Johns	

Nays—13.

Brackin	Getzen	Price	Stratton
Carlton	Gibbons	Ripley	Sutton
Connor	Kicliter	Stenstrom	
Dickinson	Pearce		

So House Bill No. 291 passed, title as stated, and the action

of the Senate was ordered certified to the House of Representatives.

H. B. No. 196—A bill to be entitled An Act to authorize Board of County Commissioners to pay the necessary expenses incurred by the tax assessors for the purpose of reappraisal and revising maps of real property; amending Section 193.111 Florida Statutes by adding thereto Sub-section 4; providing an effective date.

Was taken up in its order.

Senator Edwards moved that the rules be waived and House Bill No. 196 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 196 was read the second time by title only.

Senator Edwards moved that the rules be further waived and House Bill No. 196 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 196 was read the third time in full.

Upon the passage of House Bill No. 196 the roll was called and the vote was:

Yeas—31.

Mr. President	Carraway	Gibbons	Knight
Adams	Clarke	Gresham	Melton
Beall	Cross	Hair	Price
Belser	Davis	Hodges	Ripley
Boyd	Dickinson	Houghton	Stenstrom
Brackin	Eaton	Johns	Stratton
Bronson	Edwards	Kelly	Sutton
Carlton	Getzen	Kicliter	

Nays—2.

Connor Pearce

So House Bill No. 196 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 881—A bill to be entitled An Act relating to the Flood Control Trust Account; providing for the distribution of such funds annually; fixing an effective date.

Was taken up in its order.

Senator Edwards moved that the rules be waived and House Bill No. 881 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 881 was read the second time by title only.

Senator Edwards moved that the rules be further waived and House Bill No. 881 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 881 was read the third time in full.

Upon the passage of House Bill No. 881 the roll was called and the vote was:

Yeas—32.

Mr. President	Connor	Gibbons	Melton
Adams	Cross	Gresham	Pearce
Belser	Davis	Hodges	Price
Boyd	Dickinson	Houghton	Ripley
Branch	Eaton	Johns	Stenstrom
Carlton	Edwards	Kelly	Stratton
Carraway	Gautier	Kicliter	Sutton
Clarke	Getzen	Knight	Tedder

Nays—None.

So House Bill No. 881 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.



Senator Edwards moved that the House of Representatives be requested to return Senate Bill No. 549 to the Senate for further consideration.

Which was agreed to and it was so ordered.

H. B. No. 664—A bill to be entitled An Act prohibiting the taking, possessing, selling or transporting of sea turtles or sea turtle eggs in all counties in the state having a population of not less than three hundred thousand (300,000) nor more than four hundred thousand (400,000) inhabitants according to the latest official state-wide decennial census, during the months of May, June, July and August of any year: providing penalty for violation; providing an effective date.

Was taken up in its order.

Senator Ripley moved that the rules be waived and House Bill No. 664 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 664 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 664 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 664 was read the third time in full.

Upon the passage of House Bill No. 664 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Getzen	Knight
Adams	Clarke	Gibbons	Melton
Beall	Connor	Gresham	Pearce
Belser	Cross	Hair	Price
Boyd	Davis	Hodges	Ripley
Brackin	Dickinson	Houghton	Stenstrom
Branch	Eaton	Johns	Stratton
Bronson	Edwards	Kelly	Sutton
Carlton	Gautier	Kichliter	Tedder

Nays—None.

So House Bill No. 664 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 643—A bill to be entitled An Act for the relief of Joseph Gilbert; providing for an appropriation for damages sustained by him by reason of the negligent acts of the employees of the State Road Department and providing for payment of same; and providing an effective date.

Was taken up in its order.

Senator Stenstrom moved that the rules be waived and House Bill No. 643 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 643 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 643 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 643 was read the third time in full.

Upon the passage of House Bill No. 643 the roll was called and the vote was:

Yeas—35.

Mr. President	Clarke	Gibbons	Melton
Adams	Connor	Gresham	Pearce
Beall	Cross	Hair	Price
Belser	Davis	Hodges	Ripley
Boyd	Dickinson	Houghton	Stenstrom
Brackin	Eaton	Johns	Stratton
Branch	Edwards	Kelly	Sutton
Bronson	Gautier	Kichliter	Tedder
Carraway	Getzen	Knight	

Nays—None.

So House Bill No. 643 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1959 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 309 was taken up in its order and the consideration thereof was informally passed, the Bill retaining its place on the Calendar of Bills on Second Reading.

H. B. No. 312—A bill to be entitled An Act amending Section 409.18, Florida Statutes, relating to eligibility for aid to dependent children by providing for a suitable home; providing an effective date.

Was taken up in its order.

Senator Adams moved that the rules be waived and House Bill No. 312 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 312 was read the second time by title only.

Senator Adams moved that the rules be further waived and House Bill No. 312 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 312 was read the third time in full.

Upon the passage of House Bill No. 312 the roll was called and the vote was:

Yeas—31.

Mr. President	Clarke	Gibbons	Melton
Adams	Cross	Gresham	Pearce
Beall	Davis	Hair	Price
Boyd	Dickinson	Hodges	Ripley
Brackin	Eaton	Houghton	Stenstrom
Bronson	Edwards	Kelly	Sutton
Carlton	Gautier	Kichliter	Tedder
Carraway	Getzen	Knight	

Nays—3.

Belser	Branch	Johns
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So House Bill No. 312 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Adams moved that Senate Bill No. 169 be withdrawn from the Committee on Welfare.

Which was agreed to by a two-thirds vote and it was so ordered.

By unanimous consent, Senator Adams withdrew Senate Bill No. 169 from the further consideration of the Senate.

H. B. No. 417—A bill to be entitled An Act relating to pilot commissioners and pilots; amending Section 310.11 Florida Statutes, relating to rates of pilotage, providing minimum rates for pilotage, and for maximum rates based upon draft and tonnage; repealing all laws in conflict, and providing an effective date.

Was taken up in its order.

Senator Beall moved that the rules be waived and House Bill No. 417 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 417 was read the second time by title only.

Senator Beall offered the following amendment to House Bill No. 417:

In Section 1, page 2, at end of section, add the following: "provided that such further rate shall not apply to vessels or steamers when entering and departing a port without cargo for the purpose of dry-docking"

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be further waived and House Bill No. 417, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 417, as amended, was read the third time in full.

Upon the passage of House Bill No. 417, as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Carraway	Hair	Price
Adams	Clarke	Houghton	Ripley
Beall	Connor	Johns	Stenstrom
Belser	Cross	Kelly	Stratton
Boyd	Davis	Kicliter	Sutton
Brackin	Gautier	Knight	
Branch	Gibbons	Melton	
Carlton	Gresham	Pearce	

Nays—3.

Dickinson	Eaton	Tedder
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So House Bill No. 417 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall moved that the House of Representatives be requested to return Senate Bill No. 426 to the Senate for further consideration.

Which was agreed to and it was so ordered.

H. B. No. 547—A bill to be entitled An Act to authorize and empower the Florida Real Estate Commission to require the satisfactory completion of educational courses to be offered, conducted, or sponsored by the Commission, as a condition precedent to registration as a real estate broker by renumbering Section 475.04, Florida Statutes, and adding the new sections, subsections, and provisions hereof to Chapter 475, Florida Statutes; providing an effective date.

Was taken up in its order.

Senator Johns moved that the rules be waived and House Bill No. 547 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 547 was read the second time by title only.

Senator Johns moved that the rules be further waived and House Bill No. 547 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 547 was read the third time in full.

Upon the passage of House Bill No. 547 the roll was called and the vote was:

Yeas—30.

Adams	Davis	Hodges	Price
Boyd	Dickinson	Houghton	Ripley
Branch	Eaton	Johns	Stenstrom
Carlton	Gautier	Kelly	Stratton
Carraway	Getzen	Kicliter	Sutton
Clarke	Gibbons	Knight	Tedder
Connor	Gresham	Melton	
Cross	Hair	Pearce	

Nays—2.

Belser	Brackin
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So House Bill No. 547 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Belser presiding.

H. B. No. 357—A bill to be entitled An Act relating to alcoholic beverages; amending Section 562.13, Florida Statutes; providing for the employment of persons eighteen (18) years of age or over in bona fide food service establishments under

certain conditions, and providing that the director may approve the employment of a pardoned felon by a vendor, and deleting the definition of the word "conviction;" providing an effective date.

Was taken up in its order.

Senator Hodges moved that the rules be waived and House Bill No. 357 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 357 was read the second time by title only.

The Committee on Temperance offered the following amendment to House Bill No. 357:

In Section 1, line 5, page 2, following the words "food service establishments." strike out remainder of section.

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Connor offered the following amendment to House Bill No. 357:

In Section 2, strike out the words: This Act shall take effect July 1, 1959

—and insert in lieu thereof the following: This Act shall take effect upon it becoming a law.

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance offered the following amendment to House Bill No. 357:

In the title, line 6, page 1, following the words "certain conditions" strike out the words "and providing that the director may approve the employment of a pardoned felon by a vendor, and deleting the definition of the word "conviction;"

—and insert in lieu thereof the following: a semicolon (,)

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hodges moved that the rules be further waived and House Bill No. 357, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 357, as amended, was read the third time in full.

Upon the passage of House Bill No. 357, as amended, the roll was called and the vote was:

Yeas—16.

Adams	Carraway	Gibbons	Melton
Belser	Connor	Gresham	Pearce
Brackin	Davis	Hodges	Price
Branch	Getzen	Johns	Stratton

Nays—13.

Boyd	Eaton	Kicliter	Sutton
Carlton	Gautier	Ripley	Tedder
Cross	Houghton	Stenstrom	
Dickinson	Kelly		

So House Bill No. 357 passed, as amended.

Senator Price moved that the Senate reconsider the vote by which House Bill No. 357, as amended, passed the Senate this day.

And the motion went over under the rule.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that when the Senate adjourns this day, it adjourn to reconvene at 10:00 o'clock A.M., on Wednesday, May 20, 1959.

Which was agreed to by a two-thirds vote and it was so ordered.

H. B. No. 332—A bill to be entitled An Act relating to divorce, alimony and custody of children, amending Chapter 65, Florida Statutes; by adding Section 65.21 pertaining to social investigations and recommendations by the State Welfare Department in certain cases.

Was taken up in its order.

Senator Ripley moved that the rules be waived and House Bill No. 332 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 332 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 332 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 332 was read the third time in full.

Upon the passage of House Bill No. 332 the roll was called and the vote was:

Yeas—21.

Adams	Clarke	Gresham	Ripley
Belser	Davis	Hair	Stenstrom
Boyd	Eaton	Hodges	Sutton
Brackin	Edwards	Houghton	
Branch	Gautier	Kelly	
Carraway	Gibbons	Knight	

Nays—11.

Carlton	Dickinson	Kicliter	Stratton
Connor	Getzen	Pearce	Tedder
Cross	Johns	Price	

So House Bill No. 332 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The President presiding.

H. B. No. 325—A bill to be entitled An Act relating to Judicial Proof; amending Section 90.231, Florida Statutes, providing for expert witness fees before Grand Jury.

Was taken up in its order.

Senator Cross moved that the rules be waived and House Bill No. 325 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 325 was read the second time by title only.

Senator Cross moved that the rules be further waived and House Bill No. 325 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 325 was read the third time in full.

Upon the passage of House Bill No. 325 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Getzen	Knight
Adams	Clarke	Gibbons	Melton
Beall	Connor	Gresham	Pearce
Belser	Cross	Hair	Price
Boyd	Davis	Hodges	Ripley
Brackin	Dickinson	Houghton	Stenstrom
Branch	Eaton	Johns	Stratton
Bronson	Edwards	Kelly	Sutton
Carlton	Gautier	Kicliter	Tedder

Nays—None.

So House Bill No. 325 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Cross moved that Senate Bill No. 131 be withdrawn from the Committee on Judiciary "A."

Which was agreed to by a two-thirds vote and it was so ordered.

By unanimous consent, Senator Cross withdrew Senate Bill No. 131 from the further consideration of the Senate.

H. B. No. 549—A bill to be entitled An Act amending Sections 475.51 and 475.52, Florida Statutes, relating to the publication and dissemination of information relating to real estate located in Florida offered for sale; requiring the filing of such information with the Florida Real Estate Commission; prescribing the powers and duties of the Florida Real Estate Commission in enforcing said Act and providing criminal and civil penalties for the violation thereof; providing an effective date.

Was taken up in its order.

Senator Johns moved that the rules be waived and House Bill No. 549 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 549 was read the second time by title only.

Senator Johns moved that the rules be further waived and House Bill No. 549 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 549 was read the third time in full.

Upon the passage of House Bill No. 549 the roll was called and the vote was:

Yeas—33.

Mr. President	Cross	Hair	Price
Adams	Davis	Hodges	Ripley
Belser	Dickinson	Houghton	Stenstrom
Boyd	Eaton	Johns	Stratton
Branch	Edwards	Kelly	Sutton
Carlton	Gautier	Kicliter	Tedder
Carraway	Getzen	Knight	
Clarke	Gibbons	Melton	
Connor	Gresham	Pearce	

Nays—1.

Brackin

So House Bill No. 549 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 550—A bill to be entitled An Act amending Section 475.01 by adding thereto Subsection (12) and amending Sections 475.30, 475.31, 475.35 and 475.36, Florida Statutes, relating to proceedings before the Florida Real Estate Commission and appellate review of proceedings before the Florida Real Estate Commission; providing an effective date.

Was taken up in its order.

Senator Stenstrom moved that the rules be waived and House Bill No. 550 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 550 was read the second time by title only.

Senator Stenstrom moved that the rules be further waived and House Bill No. 550 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 550 was read the third time in full.

Upon the passage of House Bill No. 550 the roll was called and the vote was:

Yeas—36.

Mr. President	Brackin	Clarke	Eaton
Adams	Branch	Connor	Edwards
Beall	Bronson	Cross	Gautier
Belser	Carlton	Davis	Getzen
Boyd	Carraway	Dickinson	Gibbons

Gresham	Johns	Melton	Stenstrom
Hair	Kelly	Pearce	Stratton
Hodges	Kicliter	Price	Sutton
Houghton	Knight	Ripley	Tedder

Nays—None.

So House Bill No. 550 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 548—A bill to be entitled An Act amending Subsection (6) of Section 475.01, Section 475.05, Section 475.13, Section 475.15, Section 475.20, Florida Statutes, relating to registration and renewal of registrations of real estate brokers and salesmen by the Florida Real Estate Commission; providing an effective date.

Was taken up in its order.

Senator Johns moved that the rules be waived and House Bill No. 548 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 548 was read the second time by title only.

Senator Johns moved that the rules be further waived and House Bill No. 548 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 548 was read the third time in full.

Upon the passage of House Bill No. 548 the roll was called and the vote was:

Yeas—36.

Mr. President	Carraway	Getzen	Knight
Adams	Clarke	Gibbons	Melton
Beall	Connor	Gresham	Pearce
Belser	Cross	Hair	Price
Boyd	Davis	Hodges	Ripley
Brackin	Dickinson	Houghton	Stenstrom
Branch	Eaton	Johns	Stratton
Bronson	Edwards	Kelly	Sutton
Carlton	Gautier	Kicliter	Tedder

Nays—None.

So House Bill No. 548 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Johns withdrew Senate Bills Nos. 536, 538, 537 and 535 from the further consideration of the Senate.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 4:56 o'clock P.M., until 10:00 o'clock A.M., Wednesday, May 20, 1959, pursuant to the motion made by Senator Davis and adopted by the Senate, this day.